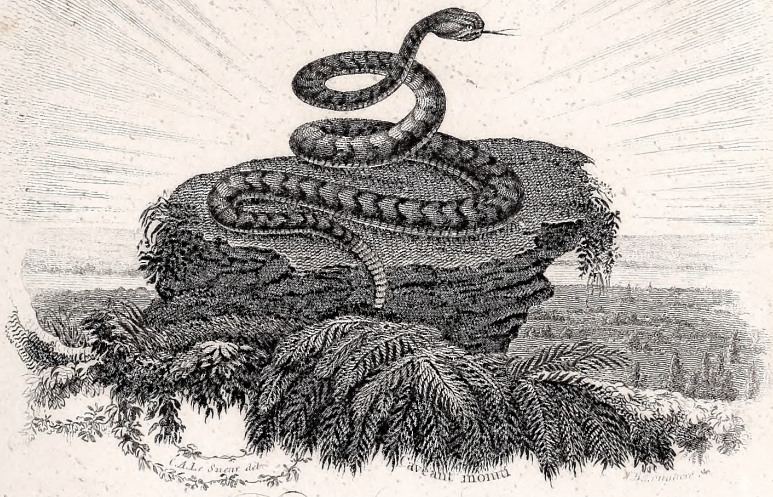
RTH CAROLINA
TATE LIBRARY.
se
elf
18
C

Digitized by the Internet Archive
in 2017 with funding from
State Library of North Carolina

https://archive.org/details/biographyofsigne02sand_0

BIOGRAPHY
of the Signers to the
DECLARATION OF INDEPENDENCE

BY
JOHN SANDERSON



PHILADELPHIA.

Published by R. W. Pomeroy

J. MAXWELL, PRINTER.

1828.

973.3
S216
v.2

BIOGRAPHY

OF THE SIGNERS TO THE

DECLARATION OF INDEPENDENCE.

BY JOHN SANDERSON.

VOL. II.

EASTERN DISTRICT OF PENNSYLVANIA, to wit:

BE IT REMEMBERED, that on the first day of August, in the forty-seventh year of the independence of the United States of America, A. D. 1822, JOSEPH M. SANDERSON of the said district, hath deposited in this office the title of a book, the right whereof he claims as proprietor in the words following, to wit:

" Biography of the Signers to the Declaration of Independence, by John Sanderson.—Vol. II.

In conformity to the act of the congress of the United States, intituled " An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned."—And also to the act, entitled, " An act supplementary to an act entitled, " An act for the encouragement of learning, by securing the copies of maps, charts and books, to the authors and proprietors of such copies during the times therein mentioned," and extending the benefits thereof to the arts of designing, engraving, and etching historical and other prints."

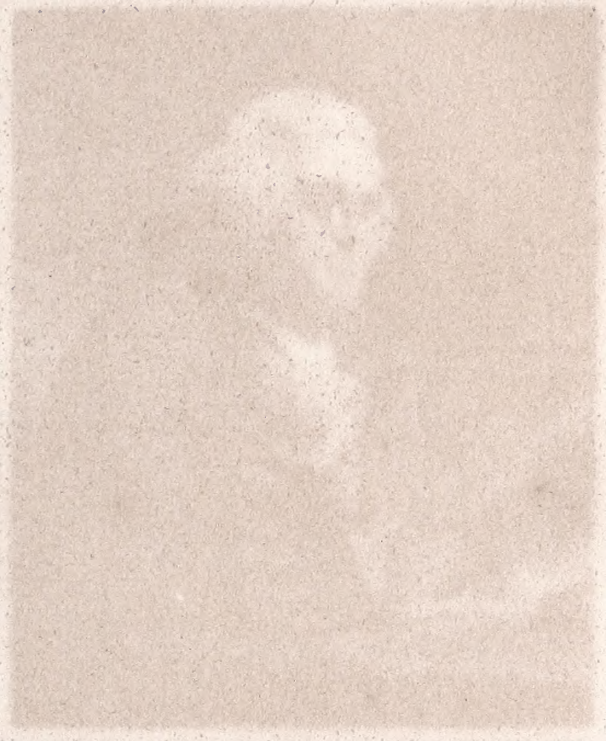
D. CALDWELL,

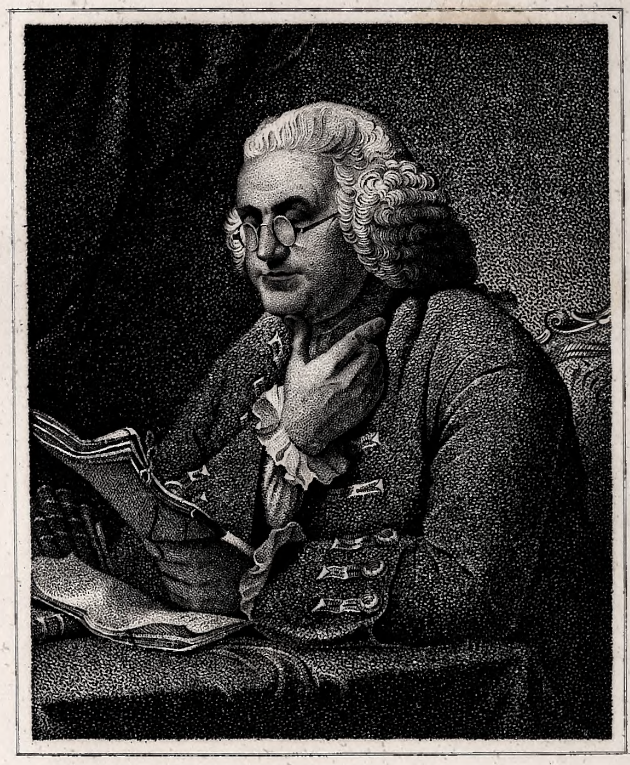
Clerk of the Eastern District of Pennsylvania.

CONTENTS.

Benjamin Franklin. - -	Page 1
George Wythe. - - -	155
Francis Hopkinson. - - -	181
Robert Treat Paine. - -	201

BENJAMIN FRANKLIN.





BENJAMIN FRANKLIN.

Engraved by J.B. Longacre, from a Painting by Martin.

FRANKLIN.

Benjamin Franklin was a native of Boston, and was born on the 17th of January, 1706. The paternal branch of his ancestors inhabited the county of Northampton in England. They were proprietors of a small freehold estate near the village of Eaton, where the family had been established, according to the traditions of that place, for more than three centuries. They pursued generally some trade, especially that of blacksmith, and were very honorably distinguished in their neighbourhood, for industry, honesty, and mechanical ingenuity. His father, who was of the persuasion of the Puritans, emigrated in 1682 to the colony of Massachusetts, the common refuge of those of his sect, who fled from the persecutions of their native country; but

unaccustomed to agriculture or commerce, the usual occupations of the colonists; and no trade, in the simple manners of those days, conferring dishonour on its professors, he had recourse for a livelihood, without any previous apprenticeship, to that of chandler and soap-boiler, which, during the remainder of his life, he pursued with little success, and lived in an innocent and unambitious poverty. Of his mother he has spoken with veneration, but has left concerning her, no very important intelligence: her name was Folger; she was a native of Boston, and was descended from one of the principal settlers of New England.

From the facility he discovered in learning the rudiments of his native language, his parents believed him endowed with more than ordinary genius, and resolved to raise him to the profession of a clergyman. He was, therefore, placed in a grammar school to receive the requisite instructions; and with so much ardour did he engage in this pious enterprize, and pursued his studies with so much diligence, that although he had not yet reached the eighth year of his age, he attained a great reputation, in his class, for industry and capacity.

But these academical honours were of a transient duration; and the hopes which his parents had so passionately entertained of his ecclesiastical distinction, with little injury perhaps to the interests of mankind,

were totally disappointed. Towards the end of the first year they discovered that the expense of his collegiate instruction would far exceed their slender revenues, and he was transferred to a school, where at a charge more moderate, he might acquire the common principles of an English education. From the latter situation, at the expiration of twelve months, he was taken home to prosecute the business of his father.

During these two years, which comprehend all that part of his education that is due to external assistance, he acquired, notwithstanding his tender age, a passion for letters, and a habit of studious application; which, not only from their obvious consequence of increasing his enjoyments of intellect, or ministering to his reputation, by calling forth those faculties with which nature had so munificently endowed him, but from their influence in the preservation of his morals, may be regarded as objects of no trivial felicity. His original designation for the church, as the profession of preacher implied a kind of sovereign dignity, at that time, in New England, gave a powerful impulse to his youthful emulation. He had besides the advantage, of being placed under the care of very competent tutors, who, according to his own account, possessing the requisite abilities in their profession, were remarkable for the

gentleness of their manners, and humanity of their disposition: under their tuition he contracted no habits of indolence or sentiments of disgust, and encountered none of those penitentiary glooms, which imperious pedagogues, and a studied exhibition of their instruments of punishment, so often throw upon the scenes of scholastic discipline.

He was now employed, during two years, in tending the shop of his father; in the cutting of wicks for candles, filling of moulds and running of errands: nor was this period of his life, according to his own estimation, wholly unprofitable. By the rigid discipline of economy and industry, and by the privations and disappointments to which he was subject from his indigent condition, he learnt to accommodate his mind to the vicissitudes of fortune; he acquired, also, what he justly valued as no trivial benefit throughout life, an indifference for the quality of his nourishment, with the power of regulating its quantity, as well as that of sleep, by the necessities of nature. By these early habits of temperance, he likewise seasoned the native vigour of his constitution, which enabled him even to an extreme old age, to preserve the vivacity of his health and spirits: And so much, indeed, does a capacity both for acting and thinking depend upon the influence of this blessing, that we can never

estimate too highly whatever may tend to cultivate and preserve it.

Nor was the generosity of his nature concealed amidst the drudgery of this servile employment. In the various enterprises of spirit and resolution in which, during this period, he engaged the companions of his recreations, he displayed a manifest superiority both of ingenuity and bodily accomplishments, and soon procured amongst them a reputation for courage and capacity. But that which exhibits more conspicuously the dignity of his ambition, was the noble ardour which he discovered for the acquisition of knowledge. All the books placed within his grasp, which in a new colony were of difficult access, he devoured with insatiate rapture: travels, voyages, historical compilations; even the odd volumes, which accident offered him, he read with frequent repetition; nor did the folios of controversial divinity, which the bigotry of his father had preserved, though unintelligible to his unripened understanding, escape his undistinguishing voracity.

In this indiscriminate reading he discovered, however, a few works, which he perused with a favourite application, and which he imagines, had no inconsiderable influence upon the habits and dispositions of his life. Those he has mentioned, are an "Essay upon Projects," by Defoe; an "Essay on doing Good,"

by Mather, and the "Lives of Plutarch." For the latter of these in particular he entertained the highest admiration: and the frequent perusal of this polite and elegant author, presented to his view so opportunely, at an age when the impressions are yet lively and permanent, had no doubt, in a mind so formed for moral reflection and virtuous excitement, a very salutary tendency; and we may reasonably ascribe to this partiality, many of the eminent virtues which distinguished his character, especially those high sentiments of honour; that undaunted love of liberty, which an intimate acquaintance with the writers of antiquity seldom fails, in a generous mind, to produce.

But these studies were not of a nature to reconcile him to the humility of his condition, for which his original education had already inspired him with no very favourable sentiments. The father also, entertaining a high sense of literary merit, by applauding the industry and exciting the emulation of his son, had contributed not a little to animate his hopes and to elevate his ambition. He became, therefore, every day, more and more querulous and discontented; and his aversions being confirmed by the increase of his age and intelligence, he resolved at length, to disenthral himself from the fetters of so rude and inglorious an occupation.

Having passed in his recreations, much time on the water, he had acquired great dexterity in swimming and in the management of boats; and prompted, it is said, by this kind of amusement, he conceived at first, an ardent inclination for a seafaring life. This scheme he was, however, upon application, though urged with frequent importunities, obliged to relinquish, as his father, who had already lost a son upon the sea, violently opposed it. But to console him for the prohibition, he was permitted to make choice of some business more congenial, than that now allotted him, to his genius and inclinations.

For this purpose he was conducted, by his father, to inspect the various trades exercised in the town of Boston, and after much search and deliberation that which he preferred was the business of a *cutler*. At this he remained the usual time of probation, but the sum required as the fee of apprenticeship, being thought exorbitant, he was obliged to abandon it; and no other occasion intervening, of placing him advantageously, he was finally bound to his own brother as the printer of a newspaper. To this business he entertained no particular dislike; but to the obligation of an indenture, which appears to have been exacted by the father's advice, to restrain his roving inclinations, he submitted with a very unwilling acquiescence. The choice was, however, for-

tunate, and proved in the issue, extremely beneficial in promoting his interest and reputation.

Having now entered upon a more respectable employment, or one which bore a more natural affinity to his inclinations, he pursued it with the most laborious industry; and soon reached, in the art of printing, an ingenuity, not usually at that time, attained in America. The ordinary intervals of labour and days of recreation, he employed, not after the example of most of his age and occupation, in idleness or dissipation, but in the increase of his mechanical knowledge and mental accomplishments. Even the devotions of the Sabbath, he has remarked, notwithstanding the pious vigilance of his parents, were frequently neglected; his meals were postponed, and sometimes forgotten; and very often whole nights were consumed in the pursuit of some favourite study.

He read, about this time, a work in recommendation of vegetable diet, and resolved to abstain altogether from the use of meat; a practice which he observed, for several years, with various advantages; for, besides promoting his health and clearness of understanding, as he remarks, it enabled him, of the sum usually expended in his boarding, to reserve about one third for the purchase of books; and finally, by the unceremonious simplicity of his repasts, which consisted but of a few biscuits, and a glass of

water, with the occasional addition of some raisins, he made no inconsiderable acquisition of time, for the perusal of the books which his meritorious economy had procured him.

Amongst the authors, which accident opportunely offered to his notice, was an odd volume of the Spectator. The charms of this writer took possession of his affections, for some time, to the exclusion of every other study. He attempted to imitate his stile; and the series of compositions, of which he has given an account in his Memoirs, that he used for this imitation, is entitled to no ordinary praise; for under the most judicious superintendance, few, indeed, have employed a process more rational, or one which has been approved by a more ample and evident success: and that he had the skill, at an age when others are scarcely acquainted with the lowest elements of literature, to estimate such writers as Addison, affords no doubtful proof of his excellent taste and judgment, and of the elevated sentiments, he had received from nature.

Having at school, "failed altogether in Arithmetic," and now ashamed of his deficiency in a science so necessary and so universal, he procured a book, and by his unaided exertions soon attained an adequate knowledge of it; adding, at the same time, some acquaintance with English grammar, geometry

and navigation. He studied, likewise, Locke on the Understanding, the Logic of the Port Royal, and the Memorabilia of Xenophon. From the perusal of the latter author, he contracted a fondness for the character of Socrates; and his manner of reasoning and moralizing he afterwards followed with extreme predilection: nor since the age of the Athenian philosopher, has there existed, perhaps, in the knowledge of mankind, an individual so fitted, by a conformity of sentiments and intellects, for this laudable and splendid imitation.

From the reading of Xenophon he learned to correct many evil habits and propensities. He was addicted to sophistical argument, disputation and contradiction; indulging, according to his own acknowledgment, in a disposition to railery, often without prudence or generosity; and in his early youth, yet ignorant of the laws of propriety, unconscious of the impotence of human reason, was presumptuous and pertinacious in his opinions. It is to the contrary practice, which he assumed, after the precepts and example of Socrates, of urging his sentiments with moderation; and of enlisting, by his own modesty, the vanity of other men in his favour, that he ascribes the powerful influence he always maintained in the community, and the success of the numerous enter

prises in which he engaged for the honor and ornament of his country.

It was during his apprenticeship that he attempted his first literary compositions; of which we may give some account. Of his intellectual progress the details cannot be unwelcome, and are perhaps not less fertile of instruction than the more turbulent incidents of his political life. Amongst those studies which polish and harmonize the mind, poetry is, we believe, entitled to a precedence of rank and dignity. It has received, at least, in all ages, the primitial offerings of men of genius; and even those who are deficient of that divine mind requisite to success in this art, are rarely insensible to its blandishments.

Franklin, though born with a genius more favourable to science than to polite letters, was first ambitious of the reputation of a poet. Having produced many verses in secret, he, at length, exhibited a specimen of his performance, with much diffidence and hesitation, to his friends. It was received, though destitute of poetic excellence, with great approbation. Encouraged by this success he published soon after, in a more laborious composition, two ballads, which on account of some occasional interest of the subject, were likewise applauded, and read through the town of Boston with avidity; but his father, who appears

to have possessed no contemptible judgment in these matters, seeing that the progress of his son's more useful occupations might be retarded, or his genius perverted by this inclination for rhyming; by criticising ironically his verses, and reminding him of the proverbial beggary of poets, discouraged him from this species of composition. He persuaded him, however, as a means of procuring fortune and reputation, to endeavour to attain excellence in prose; and to this object the young Franklin, now directed his ambition.

The newspaper conducted by his brother, being the only vehicle of the kind in New England, and the second which had been established in America, engrossed, with much interest, the attention of the public. The most accomplished scholars of the town contributed to its importance by their communications; and many critics, assembling daily at the printing-office, discussed the merits of the original productions which appeared in it. Franklin, who had already caught the rage of publication, and impatient to discover the public opinion of his abilities, having ingeniously disguised his hand writing, sent anonymously a paper, which he had composed with great care, to their critical inspection; and having set up the type himself, awaited, in timorous anxiety, the decision of these inexorable grammarians. On

the next day, his composition being produced, was read, commented, and applauded; and he enjoyed the "exquisite pleasure," as he calls it, of listening to his own praises. They were bestowed at least without flattery, and though fraught, we may suppose, with little taste or intelligence, contributed to encourage his youthful hopes, and animate his future exertions.

He continued his clandestine correspondence in a succession of pieces, which met a still more favourable reception, and amongst the readers of the journal excited a lively desire of discovering the author. Nor did the vanity of Franklin long suffer them to labour under the burthen of curiosity.

But this literary success was soon followed by consequences which marred his agreeable prospects, and changed in some degree the destinies of his life. His writings in the newspaper soon procured him the notice of the most distinguished persons of the town, who regarded him as a youth of uncommon abilities. He began, therefore, we may reasonably imagine, to entertain sentiments above the common drudgery of his business, and perhaps obeyed his brother with a less willing submission. The brother, on the other hand, who was not remarkable for any superiority of intellect, or generosity of mind, observed this growing credit of his apprentice with jealou-

sy and discontent; and considering his praises as a tacit reproach of his own inferiority, was much more inclined to depreciate than magnify his merit. From these principles of discord many quarrels and contentions arose between them, which were heightened gradually by petty provocations to a degree of inextinguishable rancour; and though sometimes composed by the father, to whose arbitration they mutually appealed, burst out again with increased animosity, till at length the brother, under sanction of his age and privilege of master, resorted to blows in support of his authority.

This brother, on account of some libellous publication inserted in his paper, of which the author's name was refused, was about this time imprisoned, and restricted by an award of the court from any further exercise of his editorial functions. To evade the latter part of the sentence the young Franklin, by a fictitious agreement, became nominal proprietor and editor; and in this capacity, during the incarceration of his brother, defended him with great spirit and generosity; publishing several strictures, remarkable for wit and satire, against the members of the government. But for this gratuitous defence, in which he had incurred the displeasure of the administration, the brother appears to have entertained no very profound gratitude, for after his enlarge-

ment he not only retained his illnatured passions, but renewed his system of flagellation with increased severity.

This usage Franklin continued to bear, for some time, with silent indignation; but perceiving no reasonable termination of it, resolved, by the only expedient which remained for the purpose, to assert his independence; and to escape from the reach of injuries which his situation did not permit him to resent.

But, on intimation of this design, his brother's influence and malignity precluded, in his native place, all hopes of employment; and it became necessary that he should seek elsewhere the means of subsistence. Some reasons are also given which rendered the residence of Boston unpleasant to him. In the levity of youthful conversation, he had, it appears, excited amongst the pious inhabitants of that town, some apprehensions concerning the purity of his religious principles; and his politics likewise had brought him into disreputation with several of the distinguished members of government; and having, in this emergency, found a vessel in the harbour, bound to New York, he engaged his passage and embarked abruptly for that city.

This evasion and breach of obligation, although his indenture had been previously cancelled for the benefit of his brother, Franklin has comprehended,

we believe, with more generosity than justice, amongst the errors of his life. Corporal punishment, if at all justifiable, it belongs only to parental tenderness to inflict, and the unnatural delegation of such authority tends perhaps more than any single cause to degrade human nature and to propagate slavery amongst mankind. Obedience to a beneficent government is, amongst individuals and nations, without doubt, an honorable injunction; and also to rebel against tyranny, is especially in America, not thought inglorious. Happy! if in humble life; under the rigors of poverty and persecutions of misfortune, all men should retain, like Franklin, the sentiment of their dignity, and the remembrance that there are natural rights paramount to civil or political obligations.

To the severe and arbitrary spirit of this brother, he ascribes, however, the first impressions of that hatred of tyranny, which influenced all the actions and opinions of his future life. The application of the lash, in admitting this consequence, is indeed, less a cause of regret, than resistance to it is a just subject of commendation.

After a prosperous voyage of a few days, he landed at New York, where having endeavoured, for some time in vain, to procure occupation, he proceeded onwards with a feint hope of better fortune, to Philadelphia. After much intermediate fatigue from

travelling on foot, or the rowing of a boat; and having, more than once, had occasion to repent of his fugitive expedition, he arrived in that city. He now perceived himself, at the age of seventeen years, thrown upon the mercy of the world; at the distance of four hundred miles from his native home, without a friend or counsellor; with scarce a hope of employment; and, of the slender provision of money which he had carried with him, but a single dollar remaining in his pocket.

His appearance at Philadelphia, on this occasion, if we compare it with many succeeding incidents of his life, was not a little romantic. He is represented as making his entrance into Market street with a roll of bread under each arm; with his pockets enormously distended by shirts and stockings, which he had crammed into them on leaving the boat, and thus accoutred, walking in the solemnity of a Sunday morning, through the principal streets of the city. An appearance so singular drew upon him, even in those days of rustic simplicity, the observation of the inhabitants; among others, of his future wife, in whose eyes he made then "a very awkward and ridiculous figure." Having eat a portion of his bread and bestowed the remainder on a fellow passenger, he sought a draught of water from the Delaware; and being afterwards borne, by the pass-

ing crowd, to a meeting of Quakers, sat down amongst them and slept until the end of the service, when he was admonished by one of the congregation to retire.

But two printing houses were, at that time, established in Philadelphia, in one of which he happily obtained employment as compositor; and instigated by the necessities of his condition; by the noble ardour which enterprizing youth feels in the first enjoyment of liberty, and sensible that he had now to commence life with no other pretensions than such as he derived from personal merit, he exerted in his business, the most studious and indefatigable industry. In his private affairs, he observed a scrupulous and parsimonious economy; was seen, during the usual hours of recreation, at the occupations of his trade, and in all his actions maintaining a strict punctuality and regularity of conduct, he soon drew upon him the observation of the public, and filled the town with his praises. By these arts he procured money against emergency, and friends whose patronage contributed to his future reputation and fortune.

But a short period since his arrival in Philadelphia, had elapsed when he was surprised by a visit from the governor of the province, Sir William Keith, whom, by his solicitation, he accompanied to a

neighbouring hotel; shared his wine, and conversation, and received a general invitation to his house, which he afterwards frequented, with every token of kindness and hospitality. For this distinguished attention, he was indebted, especially, to the perusal of a letter, he had written to a friend at New Castle, from which the governor, learning the history of his recent adventures, had conceived a favourable opinion of his spirit and abilities.

As a farther mark of his attachment he proposed that Franklin should commence business on his own account; offering in aid of the project his own influence, the interest of his friends, and the printing of the government; and urged him to return to Boston, with his recommendation, to solicit the concurrence of his father. Franklin armed with this powerful intercession, not doubting of success, was easily prevailed on to fall in with the scheme; he, therefore, commenced his journey, and after an absence of seven months, reappeared in his native town. By his relations, with the exception of the brother only, who retained a consciousness of his injurious treatment towards him, he was received with an affectionate welcome. Of this brother also he conciliated the favour, on a subsequent visit; and in retribution for the blows he had received, took under his charge one of his sons, whom he instructed in his trade and estab-

lished in business. In the principal object of his present visit, however, he proved unsuccessful; for his father advised him by reason of his age and inexperience, to lay aside all further thoughts of his enterprize, and to the same effect, wrote to his patron the governor. He returned, therefore, having obtained his parents' consent, and resuming his station with his former master, pursued his trade with the same assiduous attention. Nor was he negligent, during these projects, of the cultivation of letters; to promote this object, he formed with a few ingenious young men of his age, a literary club, who conferred together on the subject of their studies. The notice he received from the great stimulated his industry, and added to the prepossessions which the public already entertained in his favour.

But the zeal of the governor, it appears, was not cooled by interruption. He invited Franklin still more frequently to his house, where he treated him always with the same benignity of reception, and resolved at last to acquire for himself the exclusive honour of giving success to their projected enterprise. He encouraged him to proceed by a vessel of government, then ready to sail, for London, that he might make interest with booksellers, and under his patronage, procure such materials as were requisite for his establishment; a proposition which

Franklin accepted with great alacrity; and full of gratitude to his generous benefactor, embarked on his voyage; nor was it until his arrival in a foreign country, three thousand miles from his native home, that he perceived, with astonishment, no provision, not even that which the immediate exigencies of his condition required, had been made for him; that in London his patron was without credit, and that he was much less aided than dishonored by his credentials. He was now involved in the most distressful perplexities; seduced from a prosperous business; all his other schemes interrupted, and was turned loose a stranger amidst the competition of a vast city to struggle for the means of subsistence.

This governor, it appears, being a man of good natured and officious vanity, was extremely subject to these fits of romantic benevolence. He was destitute of money, and therefore lavish of promises, and from a desire of diffusing a report of his generosity through the world, was engaged often in schemes of patronage beyond his capacity to accomplish. He performed, however, many personal services, and where money was not required, was a man of unbounded liberality. Franklin, therefore, notwithstanding the rude imposition practiced upon his inexperience, entertained against him no lasting animosity; but writes in his Memoirs, of the many wise

laws which he made; of his excellent capacity for government, and the many worthy qualities which he possessed, to redeem his trivial imperfections.

Franklin was much embarrassed concerning the measures which, in this difficult emergency, he ought to pursue; but had too much force of character; had been too much accustomed to vicissitude, and was too fertile in expedient, to sink into a pusillanimous dejection. Upon the whole, this disappointment, as it furnished him the opportunity of increasing his acquaintance with the world; of improving the essential knowledge of his profession, and of resuming, on his return to America, his career with greater confidence and prospects of success, is to be regarded only as a temporary calamity.

He obtained employment in one of the most considerable printing houses in London, and by his industry soon secured the esteem and favour of his patrons. By his temperate habits and rigid economy he procured, not only a decent subsistence for himself but the means also of relieving the necessities of his friends. Ralph, one of his literary associates of Philadelphia, having, in the sunshine of his magnificent hopes become the companion of his voyage, was now involved in his calamities, and having no other trade than that of an au-

NORTH CAROLINA STATE LIB

thor was prevented from starving wholly by his benefactions. This Ralph, who remained in England the remainder of his life, having sustained many valiant struggles against poverty, received at last a pension from the British Government, as historian; and by an officious libel upon Pope has established, in the Dunciad, his rank as a poet.

During his short residence in London, Franklin pursued his private studies with so much diligence, and discovered so generous an ambition for literary improvement, as caused him to be regarded by the ingenious part of his acquaintance with great affection. He obtained, by subscription, access to an extensive library, and was prompted by some occasional interests of the subject, or by an impertinent inclination for scribling, to compose a small pamphlet upon Deistical Metaphysics. This served, at that time, to diffuse his name amongst the multitude, and procured him a favourable introduction to several persons of distinguished infidelity; amongst others, to Mandeville, who hailed him as a youth of very promising abilities.

This youthful levity on the subject of religion, when he had acquired a riper age and more ample intelligence, he emphatically condemned; but the extreme aversion which, in common with all men of honest feelings, he entertained for that senseless

dogmatism and mischievous intolerance which prevailed amongst the sects of his time, in America as well as in Europe, led him sometimes to express sentiments on religious subjects, that by the severity his age were not always approved. Honest men, he believed, without any regard to religious denominations, were equally entitled to esteem, and he even procured at Philadelphia, the establishment of a church, in which all sects might worship, according to the dictates of their own conscience. He insisted that in discussing the mysteries of our faith, much less time should be spent than in practising the duties which it enjoins; and, indeed, in all the business of his life, in morals and politics, as well as religion, he was much more an advocate for practice than speculation: But of the pure and innocent service of the Deity; of the essential doctrines of christianity, no man has ever spoken with a more pious and submissive reverence; and with a conduct so preeminently virtuous as that of Franklin, we should perhaps, offer an injury to religion, in supposing him an enemy to its prevalence or a stranger to its benignity.

Having resided for one year and a half in the British Capital, and growing tired of the uniformity of his life, he concerted a scheme, with an enterprising companion, of travelling through the Continent

of Europe. Another project, also, he had in view, of establishing a school of natation; some feats of activity having spread an admiration for his skill in that art amongst the nobility; but by the accidental intervention of a mercantile acquaintance, who was at this time, preparing merchandize to be transported to Pennsylvania, these designs were interrupted. By a promise of contributing to his future elevation in business, he was solicited by this friend to accompany him as a clerk; an offer, which his natural prepossessions in favour of his native country did not permit him to refuse; and on the 22nd of July, 1726, they set sail for America.

During the leisure of this voyage, he employed himself in marking down its incidents in a journal, and having now reached the twenty-first year of his age, and thinking it unbecoming the character of man to whom heaven has imparted intelligence and reason, to fluctuate without a design through life, he resolved to form some plan for his future conduct, by which he might promote his fortune, and procure respect and reputation in society. This plan is prefaced by the following reflections. "Those who write of the art of Poetry, teach us, that if we would write what would be worth the reading, we ought always, before we begin, to form a regular design of our piece; otherwise we shall be in danger of incongruity. I am

apt to think it is the same as to life. I have never fixed a regular design in life; by which means it has been a confused variety of different scenes. I am now entering upon a new one: let me, therefore, make some resolutions, and form some scheme of action, that, henceforth, I may live in all respects like a rational creature."

To these remarks he annexed a series of rules and moral principles, which, at the same time, they show his noble ardour for virtue, may afford those animated with the same spirit, no unprofitable example. They are partly as follow:

"I resolve to be extremely frugal, for some time, until I pay what I owe.

"To speak the truth in every instance, and give no one expectations that are not likely to be answered, but aim at sincerity in every word and action—the most amiable excellence in a rational being.

"To apply myself industriously in whatever business I take in hand, and not divert my mind by any foolish project of growing suddenly rich; for industry and patience are the surest means of plenty.

"I resolve to speak ill of no man whatever, not even in a matter of truth; but rather by some means excuse the faults I hear charged upon others, and upon proper occasions, speak all the good I know of every body, &c."

To these resolutions, although they were formed in the ardour of a youthful imagination, he adhered, with a scrupulous fidelity; and the foundation, we must admit, was not unworthy of the superstructure he afterwards reared upon it.

He arrived in Philadelphia on the 11th of October, and embarked upon his new-adopted profession. By his application to business he soon gained the esteem and favour of his employer; was about to be appointed supercargo to the West Indies, and already entertained magnificent hopes of prosperous fortune: Nor can we doubt, with the qualities of industry, of economy and enterprize which marked his character, that, by pursuing this business, he had transcended the usual honours of the counting house; but the sudden decease of his patron interrupted all his dreams of affluence and felicity; he was once more thrown out of employment, and sunk again into the obscurity of a journeyman printer.

He entered the service of his former master, a man of noted insolence and ignorance; from whom, at the expiration of a few months, he was impelled by rude treatment to a separation; an event which exposed him, for a while, to new vexations and difficulties, but served to hasten the accomplishment of a more important scheme which had principally occupied his mind; the establishing of business on

his own account. By the incessant fluctuation of his life this project appeared indeed to be attended with little probability of success; but the knowledge he had acquired of his profession, happily supplied his pecuniary deficiency, and procured him a partner, more fortunate and less skilful, who furnishing the means requisite to the enterprize, he was enabled, at last, to bring this great object of his wishes to a happy issue.

The prospect now opened to his view furnished a more powerful incentive to his ambition; and having to encounter, in the commencement of his business, a competition with others long since established, it is in this emergency of his life, that he employed the most indefatigable and laborious activity.—From the earliest to the latest hours, he was seen busied in the objects of his trade; in the composition of types, preparing of stationary, and often transporting it in a wheelbarrow through the streets of the city; abstaining not only from the common recreations of his age, but even from his favourite passion of reading, except in the secrecy of the night, lest he should incur the imputation of indolence or dissipation. This studious gravity of deportment, carried so far beyond what is usual to his age, and so congenial to the demure and stately habits which prevailed, at that time, in the society in which he lived;

added to the punctuality and fidelity with which he fulfilled his engagements, soon procured him a very extensive and honourable acquaintance: These enabled him to give extension to his business, and at last to get rid of a drunken partner, who embarrassed his plans and operations.

In the preceding portion of his life, he had subsisted wholly at the mercy of fortune; exposed to a perpetual vicissitude of inspiring hopes and vexatious disappointments. From this period, the obstructions which had hitherto limited his genius, and prejudiced his interests, were in a great measure removed; and in his subsequent career, though circumvented by many difficulties and engaged perpetually in the most complicated or dangerous enterprises, he conducted them all with uniform success and felicity, and advanced with a firm and undeviating step in the progress of fortune and preferment. In reviewing this period of his history, he has remarked with a generous pride, that he had passed through the storms of youth, notwithstanding his exposure to evil company, with an unsullied reputation, and under the pressure of the most imminent necessities, that he had used no cringing submissions; or resorted to no meanness of expedient for a subsistence.

In 1730 he married a lady whose maiden name was Read; whom he had courted before his depar-

ture for England, had forgotten during his absence, and now espoused in her widowhood. She had suffered many injuries from the volatile affections of a former husband; with the present one she lived in full enjoyment of connubial harmony, and by her virtues, as well as by her misfortunes appears to have merited so auspicious a connection. To others Franklin has recommended his own example of early marriage, as an excitement to industry, a pledge of honesty, and especially, as a preventive against disreputable attachments; from which he was himself not entirely exempt. An advice which, as long as the means of existence are practicable and women are honest, as it corresponds with the dispositions of human nature, will rarely be questioned or disobeyed. But when communities have reached that degree of depravation, in which wealth only is revered and virtuous poverty is neglected; when industry is no longer a safeguard from contempt or misery; this doctrine of Franklin, under many circumstances, becomes a just subject of reprobation.

Soon after his return to America he instituted, in connection with several young men of respectable character and abilities, a club, of which he has spoken with great affection in his Memoirs, denominated "The Junto," in which were discussed, scientific, moral and political subjects; an association which

NORTH CAROLINA STATE

endured with undiminished reputation, for thirty years, and was at last succeeded by the present Philosophical Society. It had a very salutary influence in promoting economy, virtue and public institutions; and not only in creating a literary emulation amongst its members, but in diffusing a curiosity for letters in the community. Of the beneficent nature of this club, a conjecture may be drawn from the questions which preceded their debates; some of which are as follows:

"Have you met with any thing, in the author you last read, remarkable, or suitable to be communicated to the Junto? particularly in history, morality, poetry, physic, travels, mechanic arts, or other parts of knowledge.

"Do you know any fellow-citizen, who has lately done a worthy action, deserving praise and imitation? or who has lately committed an error, proper for us to be warned against and avoid?

"What unhappy effects of intemperance have you lately observed or heard of? of imprudence? of passion? or of any other vice or folly?

"What happy effects of temperance? of prudence? of moderation? or of any other virtue?

"Do you think of any thing at present, in which the Junto may be serviceable to mankind? to their country, to their friends, or to themselves?

"Hath any deserving stranger arrived in town since last meeting, that you heard of? and what have you heard or observed of his character or merits? and whether think you, it lies in the power of the Junto to oblige him, or encourage him as he deserves?

"Do you know of any deserving young beginner lately set up, whom it lies in the power of the Junto any way to encourage?

"Have you lately observed any encroachment on the just liberties of the people?

"Hath any body attacked your reputation lately? and what can the Junto do towards securing it?

"Is there any man whose friendship you want, and which the Junto, or any of them, can procure for you?

"Have you lately heard any member's character attacked, and how have you defended it?"

As a qualification of admission, it was required also, that each member should answer to the following questions:

"Do you sincerely declare that you love mankind in general; of what profession or religion soever?

"Do you think any person ought be harmed in his body, name, or goods, for mere speculative opinions, or his external way of worship?

"Do you love truth for truth's sake, and will you endeavour impartially to find and receive it yourself and communicate it to others?"

The exigencies in which Franklin had passed his early youth, and the expedients he was forced to employ, that he might improve his fortune, drew him from all barren speculations towards those only, which might tend to ameliorate the condition and happiness of his species. All his leading enterprises appear to have been undertaken with a view to the public good; and even to those which might seem indifferent, he gave the same tendency. From incidents however minute, he extracted some salutary moral which had escaped vulgar observation. To practice virtue and propagate it amongst mankind, he considered as the common business of his life, nor did he suffer any effort which might contribute to that purpose, to remain unemployed. Like Lycurgus, he wished that the praise of virtue and contempt of vice should be interwoven with all the actions and discourses of men, and that such images as tended to elevate the fancy and enlighten the understanding, should be perpetually exhibited to their observation. Even upon the current coin of the country, as it was exposed to the frequent inspection of the multitude, he advised that instead of the image of a king or an emperor, some

pious or prudential maxim should be engraven, which might leave a salutary impression upon the mind.

In 1732, he commenced, and continued for twenty-five years, the publication of "Poor Richard's Almanac;" a work of modest pretension and of humble title, which his fertile genius rendered, in addition to its utility as a calendar, subservient to the most essential interests of the community; especially by the diffusion of instruction amongst that class of the people, who by their poverty or laborious occupations, are usually deprived of this advantage. Those spaces, which in a work of that kind, are commonly filled with useless memorials, or unmeaning observations, he occupied with moral sentences, precepts of economy, rules for the preservation of health, and such general principles of instruction as were most accommodated to the purposes of common life; and these he clothed in a familiarity of expression, a proverbial brevity and simplicity, which rendered them acceptable to the humblest as well as the most improved capacity. Of this Almanac, ten thousand copies were distributed in America every year. The last, of 1757, in which he collected the principal matter of the preceding numbers, was republished in various forms in Great Britain, and thence translated into foreign languages, was

NORTH CAROLINA STATE

dispersed and read with great avidity throughout the whole Continent of Europe.

This sententious method, for which his writings and conversations show that he entertained a constant partiality, is perhaps the most efficient as well as most popular mode that could be devised for the inculcation of knowledge; for a truth thus conveyed, is not only recommended by poignancy and precision of expression, but standing independent, and as it were, a corollary from the experience of life, is retained by the memory when more elaborate reasonings are forgotten.

To his printing establishment, he attached, about this time, a newspaper; which, besides the discussion of politics, he replenished with productions of poetry, history, eloquence, and such other subjects of polite literature, as he supposed would improve the taste and morals of his country. This paper, it is said, he kept unpolluted by scurrility, malignant personalities, or indecent arrogance, and sustained it in reputation, in those days, without departing from the sober rules of propriety.

In considering how much enthusiasm, in politics and religion, is often excited by the association of men into parties, he conceived a project of creating a sect to inculcate the moral obligation, and to watch over the interests of virtue. This design he embraced

with great zeal and alacrity, but the multiplicity of his business did not permit him to carry it into operation; nor is there any great reason to suppose that all his influence and activity, had ever brought it to a successful conclusion. It was, however, the invention of a generous mind, and must add to our admiration of his character. It would, indeed, be a great blessing to humanity, could such a scheme of philanthropy be accomplished; could the honest part of the species, with the same ardour and unanimity, be united for the protection of the social welfare, as knaves and profligates for the destruction of it.

Having committed several of the leading principles of this honest enterprise to paper, he has preserved them in his Memoirs. Amongst other objects, there is a religious creed, which he had intended to be subscribed by each member, expressed in the following words:

"I believe that there is one God, who made all things.

"That he governs the world by his providence.

"That he ought to be worshipped by adoration, prayer, and thanksgiving.

"But that the most acceptable service to God, is doing good to man.

"That the soul is immortal.

"And that God will certainly reward virtue and punish vice, either here or hereafter."

NORTH CAROLINA STATE LIBRARY

Believing that those who attempt a reformation of the world, should themselves be irreproachable, he very reasonably accompanied his splendid theory of popular reform, by a rigid scrutiny of his private conduct. For this purpose he had recourse to an expedient with which he was for some time greatly enamoured; by the means of which, it appears, he even entertained the hope of arriving at "moral perfection." Having written upon a tabular catalogue, all those virtues which he thought essential to the perfection of the human character, he made upon this scale, every evening, a diligent examination of his conduct during each day; a practice which he pursued with his usual inflexibility of resolution, until such habits were confirmed, as rendered this circumspection unnecessary; and although he fell short of his ultimate ambition, he ascribes to "this little artifice," much of the happiness of his life. Those who attempt impracticable objects, often accomplish those purposes to which human frailty were otherwise inadequate. Of the process he observed in this enterprize, he has left in his life, a circumstantial detail, which will be perused, at least by those who are emulous of this species of glory, with applause and admiration.

In the mean time he remitted nothing of his usual diligence in literary application. A few hours of

each day, were set apart for study, during which he qualified himself for discussing the political interests of his country. He acquired also a competent knowledge of the Italian and Spanish languages, and of the Latin, the rudiments of which he had been taught in his early youth. He studied likewise, the French, and attained a greater proficiency in that language than is usually acquired by a foreigner; for he composed with accuracy, and conversed, with almost the fluency of a native. Amongst his confederates of the "Junto," he obtained a small collection of books, for the purpose of reference in their debates, to which many volumes being occasionally superadded, he procured, at length, the establishment of the Philadelphia Library.—This was the first institution of the kind in America; but from its manifest convenience and utility, the example was soon followed through the other towns of the provinces, and had a sensible influence, it is said, upon the manners of the inhabitants; for, the people being yet unemployed in less innocent recreations, undebauched by the vices of luxury and avarice, and unoppressed by necessities, reading became every where the fashionable amusement, spreading its influence even to the humblest ranks of common life. Nor is this to be regarded in the policy of republican states as an object of tri-

vial advantage, where some equality in the diffusion of intellectual, as well as of physical benefits, is essential to the purity and permanence of their political institutions.

He published, in 1729, a pamphlet very highly approved, "Concerning the Nature and necessity of Paper Currency;" and employed otherwise his credit in promoting the use of that money; by which he acquired great favour with the public. He published about the same time, various essays in his newspaper upon popular topics, which being written in his usual fascinating manner, and the emulation of parties bringing them into notice, contributed also to the extension of his reputation. He was appointed by the government of Pennsylvania, official printer; his subscriptions increased, and he began to entertain every day more flattering views of futurity.

In 1736, he was chosen clerk of the general assembly, and in the following year, Post Master of Philadelphia; and being no longer overwhelmed by the blasting influence of domestic necessities, his genius began from this time, to emerge, and to be employed in schemes of public utility. His first enterprises of municipal improvement, were to organise fire companies, to reform the watch of the city, and procure the paving and lighting of the streets; all of which, by his perseverance, he brought to a

successful termination. He concerted and carried into complete success, in 1736, the establishment of the "American Philosophical Society," and of a college for the regular education of youth, none existing at that time in the colony, which by successive amplification and improvement, produced the present University of Pennsylvania. He procured, also, a grant from the legislature, for the establishment and endowment of the Pennsylvania Hospital; and so much, indeed, did he contribute to the ornament, benefit and glory of this city, that he may justly be considered as its second founder: of a city, which, by the influence of a few superior minds, has become the metropolis of this continent; and in the multitude of its benevolent institutions, in the arts of luxury and a numerous population at least, if not by a love of science, or gratitude to its benefactors, may, at a period not very remote, emulate the most illustrious cities of the world.

It may not be amiss in this place, to remark, how essentially, and how far perhaps, beyond what men are apt to imagine, are the interests of states influenced by the wisdom, the virtue and industry of a few eminent individuals. To seek our examples from the history of antiquity, we shall find that in Greece, the cities of Argos and Mycenæ, with equal industry and greater advantages of position than

NORTH CAROLINA STATE LIBRARY

Sparta, perished in turbulence and faction, without having achieved any memorable action to perpetuate their name; whilst the latter country, by the wisdom of a single legislator, flourishes with everlasting glory. The influence of the instruction, and the example of this one man, formed the minds of the multitude of statesmen and warriors of his country, who succeeded him; whose eminent virtues and heroic actions, have been transmitted to memory as the pride and ornament of the human species. But for Epaminondas and his brave compeer, Thebes had been known only as the birthplace of Pindar and Plutarch. Rome was indebted for her freedom, and in the most critical emergencies of her history, for her preservation, to the auspicious intervention of individuals; and when her republican virtues were almost extinct, one man kept alive the expiring embers of her liberty, and sustained for a while, the tottering fabric of her overgrown power. Modern history furnishes not less pertinent examples, which it may be superfluous or invidious to enumerate.

It must not be forgotten that Franklin promoted, also, the honour and interests of the whole province of Pennsylvania, at this time, by providing for it, a system of military discipline; an object, which by the impolitical religious scruples of the legislature,

had been totally neglected; although it had been imperiously requisite for protecting the frontier from the atrocious massacres to which it was exposed from the invasions of the Savages. To accomplish this enterprize, he first published a pamphlet, by which he disposed the public mind to favourable impressions; he then drew up articles of a military association, and procured their adoption in a convocation of the people; and so much is the love of war, in defence of our natural rights, a passion of human nature, that notwithstanding the thick clouds with which the Quakers and a long peace had overspread them, ten thousand men were assembled for the defence of their country; and under the auspices of Franklin, were trained to the use and exercise of arms. A commission offered him, of high rank in the Philadelphia regiment, he refused in favour of a person whom he supposed more competent to the discharge of its duties. Batteries were, at the same time, erected under his inspection, at the entrance of the town, from the proceeds of a lottery which had been procured for that purpose by his instigation and management; and to so great a height of reputation had he now grown, for experience and capacity, that no scheme of public good was deemed rational, unless he had approved it; and no important enterprise will be found, which, during

those days was not conducted by his counsel and direction.

In 1741, he commenced the publication of a "General Magazine and Historical Chronicle for the British Plantations," which he conducted in addition to his Gazette. This work, to render it acceptable to the dogmatic spirit of his readers, is much interlarded and disfigured by controversial divinity; there is, however, much useful matter, moral, historical, and scientific, which does honour to the capacity and industry of the author. Nor were these labours unrewarded, for he received from all sides, the most flattering and spontaneous testimonies of esteem, and from every branch of the administration, the highest deference was paid to his opinions and authority.

The common and useful arts of life, whatever might be the nature of his leading occupations, never failed to occupy some portion of his time and attention. He composed and, in 1742, published a treatise upon the improvement of Chimnies; and contrived at the same time a stove, of very ingenious construction; of which he made a present to the public, and which has not been supplanted by any subsequent invention.

The great diligence which he observed in the duties already assigned him in the government, and

the eminent abilities he had discovered in conceiving and conducting enterprises useful to the state, advanced very rapidly, his claims to preferment. By the governor, he was commissioned Justice of the Peace; soon afterwards Alderman, and by the corporation, was appointed one of the common council of the city. He was elected, in 1744, a member of the provincial legislature, and so unlimited a popularity did he obtain in that assembly, notwithstanding his deficient eloquence as a public speaker, that his election was repeated for ten years without the solicitation of a vote. He possessed, in an eminent degree, the talent of gaining men's affections; and if we consider how essential are the arts of insinuation to the accomplishment of all honest and useful enterprises, it must be allowed that to practice them skilfully is not the last degree of praise.

It is at this period that we are to notice the rise and progress of his philosophical reputation. In 1747, he had accidentally witnessed at Boston, a few experiments exhibited by some itinerant Scotchman upon electricity, which, though very imperfectly performed, awakened his curiosity to that subject. Upon his return to Philadelphia, he repeated the same experiments with complete success, and adding others, of which he had received some account from England, the science, at length, wholly occu-

NORTH CAROLINA STATE L

pied his ambition: Thus by a trivial accident were elicited discoveries, which soon afterwards diffused his fame through the world, and drew upon his native country the regard and attention of all Europe.

Having acquired a dexterity in performing those experiments, which had recently employed the philosophers of the old world, he first accounted for various phenomena that were yet unexplained, and soon afterwards added some new and important discoveries of his own; such as of the power of points, in eliciting and throwing off the accumulated fluid; and of the negative and positive state of electricity. About the year 1745, he discovered various properties of the Leyden Vial; as the means of accumulating, retaining and discharging any quantity of the electric matter with safety; an account of which he transmitted to London to his friend Mr. Collinson, in 1747. He was the first who fired gun-powder, gave magnetism to needles of steel, melted metals and killed animals of considerable size, by means of electricity.

From his various observations upon this fluid, he was at length induced to imagine its identity with lightning. He attempted, therefore, to explain, upon this principle, the theory of thunder-gusts, and of the Aurora Borealis; and in 1749 conceived the design, the most sublime perhaps that has enter-

ed into the imagination of man, of drawing from the heavens its lightning, and conducting its terrific energy, harmless into the bowels of the earth.

The following is the account of this experiment, by Dr. Priestley, whose eminence in physical knowledge, and intimacy with Franklin, enabled him to give its particulars with minuteness and precision.

"Franklin, after having published his method of verifying his hypothesis concerning the sameness of electricity with the matter of lightning, was waiting for the erection of a spire in Philadelphia to carry his views into execution, not imagining that a pointed rod, of a moderate height, could answer the purpose; when it occurred to him, that, by means of a common kite, he could have a readier and better access to the regions of thunder than by any spire whatever. Preparing, therefore, a large silk handkerchief, and two cross sticks, of a proper length, on which to extend it; he took the opportunity of the first approaching thunder-storm to take a walk into the field, in which there was a shed convenient for his purpose. But dreading the ridicule which too commonly attends unsuccessful attempts in science, he communicated his intended experiment to nobody but his son, who assisted him in raising the kite.

"The kite being raised, a considerable time elapsed before there was any appearance of its being

electrified. One very promising cloud had passed over it without any effect; when, at length, just as he was beginning to despair of his contrivance, he observed some loose threads of the hempen string to stand erect, and to avoid one another, just as if they had been suspended on a common conductor. Struck with this favourable appearance, he immediately presented his knuckle to the key,—and let the reader judge of the exquisite pleasure he must have felt at that moment,—the discovery was complete. He perceived a very evident electric spark. Others succeeded even before the string was wet, so as to put the matter past all dispute; and when the rain had wet the string, he collected electric fire very copiously. This happened in June 1752, a month after the electricians in France had verified the same theory, but before he had heard of any thing they had done."

A relation of these experiments was communicated by Franklin himself, in letters to a friend in London. "Nothing," says Priestley, "was ever written on the subject of electricity more justly admired, in all parts of Europe, than these letters. Electricians every where employed themselves in repeating his experiments, or exhibiting them for money. All the world, in a manner, even kings themselves, flocked to see them, and all retired full of admiration for the inven-

tor of them." In New England, by Yale College, and that of Cambridge, a degree of Master of Arts was conferred upon him, in honour of his discoveries: By the Royal Society of London, they were at first treated, with a heedless or malignant inattention. On the Continent, they were made public by the celebrated Buffon. The experiments were repeated before Louis XV. by M. De Loz, and were verified by many other philosophers; in Turin, by Father Beccaria; in Russia, by Professor Richmann, who, in the experiment of the kite, perished by a stroke of lightning.

The reputation of Franklin had now become too notorious, not to excite among the learned, some feelings of jealousy; for the votaries of the muses, though the great business of their lives is the refinement of sentiment, or the cultivation of reason and humanity, are not altogether exempt from the illiberal and malignant passions of human nature. In France, he met a transient but violent opposition from the Abbé Nollet; and the professors of England especially, attempted to detract from his praises; using many fruitless endeavours to invalidate the truth of his experiments, and finally to rob him of the honours of originality. But Franklin, in his scientific as well as his political career, though armed with all that good sense; that keen and sarcastic

NORTH CAROLINA STATE LIBRA

wit which had insured him credit in a critical altercation, opposed his adversaries only by silence, and left to the peaceful but sure operation of time, the task of vindicating his merit. This he has himself given as a rule of prudence, as well as magnanimity, and his own example in the sequel has justified the wisdom of his policy; for the world is now filled with his fame, and his praises have ceased to excite envy or opposition.

It cannot be expected that we should here enumerate all the experiments that he has made, or the treatises he has composed on the various branches of science; for there is scarcely any one that has not occupied some portion of his attention. He made several curious experiments upon the effects of oil in stilling the waters of the ocean; to ascertain whether boats are not drawn with more difficulty in small canals, than in great bodies of water; to improve the art of swimming, and to prove that thirst may be allayed by bathing in sea water. He made observations, also, in his voyages to Europe, on the gradual progress of the north-east storms, along the American coast, contrary to the direction of the winds; and likewise, for the benefit of navigation, made experiments on the course, velocity and temperature of the Gulf Stream. He made also, curious observations upon the air; upon the relative powers of

metals in the conducting of heat; and upon the different degrees acquired by congenial bodies of various colours, from the rays of the sun. He composed likewise an ingenious treatise upon the formation of the earth, and the existence of an universal fluid. Music also, he cultivated with success, and wrote many letters on that science with great ingenuity. He revived and improved the Harmonica, and performed with taste upon that instrument.—But we must now return to the narrative of his political transactions.

It was the peculiar advantage of Franklin, from his early youth, to have mingled business with study and speculation. Such was more frequently the education of the ancients. Some of their most famous poets were generals and admirals. Xenophon, Thucydides and even Socrates, fought the battles of their respective countries, and enjoyed the highest trust in the administration of their governments. In modern manners the scholar, from a deficiency of practical experience, or a love of solitude, is mostly unequal to the humblest employments, and often sinks under his load of erudition to obscurity, whilst more superficial qualities rise to the first honours of the state.

In 1758, he was sent by the provincial assembly to conclude a treaty with the Indians at Carlisle; and in the following year was appointed on a more

important mission to Albany, where the British government had assembled a congress of commissioners to confer upon a plan of defence for the colonies, against the threatened hostilities of the French, and the incursions of the savages. While on his journey to this place, he devised and reduced to writing, a project for the coalition of the colonies, as far as might be requisite to their defence, under a single administration. A President for this general government, according to his plan, was to be appointed by the crown; a grand council by the provincial assemblies; and amongst the constitutional duties of the assembly, that of laying taxes was especially assigned to the representatives of the people.

But this measure, notwithstanding the unanimous concurrence of the congress, was, by the provincial legislatures, almost unanimously rejected, as affording to the royal officers an authority too ample and dangerous; and the British ministers, on the other hand, had too much discernment not to discover that the tendency of such a union, was unfavourable to their designs of government, which at the same time, that it afforded to the colonies vigour and protection from their enemy, furnished them, by placing them in a military posture, the means of resisting the sovereignty of the mother country. It was therefore rejected with equal promptitude on their

part, as "savouring too much of Democracy." It was then resolved after deliberation, as an expedient more safe and prudent, that the measures of defence should be committed to the governors and their councils, who were generally under the implicit control of the British government; and that the sums expended in that object should be reimbursed by act of parliament laying a tax upon the colonies. To this scheme, especially the latter part of it, Franklin exerted the most strenuous opposition, during which he discovered, as subsequent events have testified, the most intimate acquaintance with the interests and passions of his countrymen. In his correspondence with the governor of Massachusetts, on this subject, not only did he employ all the leading arguments that were urged with greater diffusion during the revolution, but predicted, with the most unerring precision, all the fatal consequences that would result to the British government from such impolitical pretensions.

About this time he was appointed, upon the decease of the deputy post-master-general of America, to supply his place in that office; an office hitherto unproductive, but which, by various improvements, and by prudence and dexterity of management, he rendered a very fruitful source of revenue to the crown. In this station he afforded to general Brad-

dock the most substantial aid in carrying on his operations against Fort Du Quesne; not only by personal services, which were left without any other reward, than the thanks and approbation of the general; but by contributions of money, which by the issue of that wild and fatal expedition, and the negligence of the British government, were never repaid.

By the defeat of Braddock, the whole province was exposed to the inroads of the barbarians and French, who extended even to the interior of the country, their devastations and ravages: and profiting by the occasion, Franklin introduced into the assembly a bill for the establishing and training a voluntary militia; an object, which, as he pursued it with eagerness, and as the fears of the majority prevailed over their religious scruples, he was enabled after many exertions, successfully to accomplish. He afterwards raised at the solicitation of the governor, a small body of troops, which he marched to the protection of the frontier; performing a campaign which required indeed, much labour and diligence, but which, furnished little opportunity for the acquisition of glory, or the display of military abilities. Having erected the necessary fortifications, he was recalled to a scene of life more congenial to his habits and inclinations. In military affairs he usually pleaded incapacity; and having been altogether bred up to civil

pursuits, it is probable that the technical operations of war had engaged no considerable share of his attention. He possessed, however, beyond doubt, many of the great talents of a soldier; courage, stratagem, patience and activity; and had his inclinations led him to the profession of arms, he had not served his country, in that capacity, without glory.

By the contentions which for a long period had existed between the people of Pennsylvania and the proprietary government, and which the present exigencies of the state had increased to an unusual height of animosity, Franklin was called to a more important theatre for the exertion of his abilities; and now for the first time, engaged in those political competitions and factions, which engrossed, almost without intermission, the residue of his life.

Of the American colonies, some, from their origin had enjoyed the privilege of choosing their own executive and judicial officers, and by this benignity of fortune advanced, without discord or obstruction, in the career of their prosperity; amongst the rest the executive authority was either vested in the crown, which gave birth to many furious contentions, that often impeded the most salutary measures of the administration; or finally was delegated, by charter, to individuals, who under the denomination of Proprietors, exerted this power by themselves or

deputies, and transmitted it to their posterity; which latter system of policy proved least compatible with the happiness of the people. Thus the Carolinas languished for half a century under the counsels of the Proprietors, and flourished only when relieved from the influence of their inauspicious and aristocratical domination.

Under the auspices of its illustrious founder, this system of government, in Pennsylvania, was not unprosperous; but became too ponderous and unwieldy for the less potent arm of his successors to sustain it. The venerable illusions which had supported the institutions of Penn were, in the age of Franklin, no longer effectual; men were to be governed by mere human authority, and to be deceived by less holy and innocent expedients. The great dispute now in agitation, was occasioned by an attempt of the proprietors to exonerate their private estates from taxation, and their refusing to give their sanction, even in times of extreme necessity, to the appropriations for the defence of the province, unless this immunity were confirmed. Franklin arrayed himself, with eagerness, against the pretensions of the executive; and from his abilities as a writer, and extensive popularity, soon became their most formidable antagonist. The proprietary faction, sensible of the weight of his influence, set themselves with emulation to

conciliate his favour. All that could manifest their extreme affection for him; expressions of civility, protestations of regard, offers of preferment, with all the persuasions of gentle language, they employed to propitiate his good will or deprecate his hostility. But Franklin, who of all men living, was least subject to that softness of human nature, which renders honest men the dupes or instruments of knavery, pursued, without deviation, his honourable purpose.

At length the pertinacity with which the proprietors urged their pretensions, drove the assembly to refer their cause to the jurisdiction of the mother country, and Franklin was appointed to proceed thither as advocate of the province. He undertook this office without reluctance; embarked upon his voyage in June, and arrived in London in July 1757.

In entering upon this negociation, he was opposed by obstacles that were to be overcome by no ordinary diligence. The great war carried on at this time in Germany, left to the English ministers neither leisure nor inclination to attend to these subordinate interests; and the Proprietors also, anticipating the measures of their adversaries, had resorted, in the mean time, to artifice and flattery to prop up their iniquitous government. The inhabitants of the provinces, and especially the legislative assemblies, they had represented as an ignorant, factious and un-

NORTH CAROLINA STATE LIB

vernable rabble, and by the means of the public journals as well as by private slanders, had filled the nation with various reports unfavourable to their character. Thus in Pennsylvania, and by similar causes in the other colonies, were sown the first seeds of that supercilious contempt, which Englishmen have been pleased to manifest towards their kinsmen of America; which during the revolutionary war, kindled many rancorous and malignant passions, and yet entertains amongst a people designed to live in amity and affection with each other, feelings of the most bitter animosity and resentment.

Franklin's task was, therefore, on this occasion, not only to enlighten the ignorant and animate the indifferent, but to dissipate prejudices, and to repress the calumnies of those who desired to encroach upon the interests of his clients. In the execution of this task, the consideration which he already enjoyed as a man of letters and science, by procuring him the acquaintance of many powerful individuals of the government, afforded him very important facilities. He also made use, in his turn, of the public journals, in which he combatted with great ability, the efforts of his opponents; representing their administration not only as destructive to the colonial interests, but reproachful to the character of the British nation. Finding it, however, necessary to descend to an ex-

plication more minute and definite on this subject, he published in 1759, the "Historical Review of Pennsylvania," in which he traced the whole policy of the proprietary government, through its progressive stages, up to his own time. This work, which was published anonymously, as a composition, is considered to be inferior to the generality of his writings; but notwithstanding the uninteresting nature of the subject and the haste in which it was composed, there appeared sufficient of the good sense of Franklin, and of the sprightliness of his genius, to draw upon it the attention of the public; and it is supposed to have contributed very essentially to the success of the negotiation. The proprietary party at least, whatever may have been the cause, gradually abated their pretensions, and assented at length, to such terms of accommodation as satisfied the wishes of the province.

The turbulence and disorders arising from these frequent contentions of the colonies with their governors, were in a great degree counterbalanced by many beneficial consequences. They created, amongst the people, a propensity to political discussions, taught them to reason upon the principles of government, upon their constitutional privileges and relations with the mother country; and nourished that spirit of liberty, which bore them with so

much felicity, through the perils of their glorious and important revolution.

The excellent capacity for business which Franklin discovered in this negotiation greatly increased his popularity amongst his countrymen; and he was now entrusted with the additional agencies of Massachusetts, Georgia and Maryland; it spread also his reputation more extensively through England, and consequently enlarged the circle of his usefulness in that country. He formed connections with a great number of persons of eminent rank and influence; and profiting by their intimacy and by the observations his situation enabled him to make upon mankind; on the policy of states and arts of life, qualified him to perform with distinction and success, the many enterprizes in which he afterwards engaged for the interest and glory of his country.

He travelled, at this time, into Scotland, and there as in England, cultivated several useful acquaintances. He contracted a friendship with Lord Kaimes, which notwithstanding the intervening storms and turbulence of the revolution, subsisted with intimate familiarity until the termination of their lives; and his letters to that distinguished scholar form a very pleasing and instructive portion of his correspondence. He was now elected, with special honours, a member of the Royal Society, and was

admitted to the highest degrees in some of the Scotch and English universities.

A party, at this period, existed in England, who sought to draw off the attention of the British cabinet from the war of Germany, in which the impolicy of the administration had unprosperously employed the British forces and exhausted the national treasures, to the conquest of the French possessions in America. With these, Franklin united his endeavours; and possessing a minute knowledge of the country; a species of knowledge, too, in which the wisest statesmen of England, had shown an unpardonable deficiency; he became instrumental in projecting and carrying into effect the expedition against Canada under general Wolf. He published likewise, a pamphlet to favour the same object, which, rendering the enterprise a subject of more general attention, had no inconsiderable influence, we may reasonably suppose, in the final acquisition of that territory to the British government.

By this conquest his countrymen were not only relieved from the vicinity of a dangerous enemy, which for half a century had occupied them with perpetual wars and alarms; and procured leisure to attend to their domestic politics; but acquired during the warlike operations of this contest, a respectable share of military discipline, and a consciousness of their

own strength, by a comparison with the British troops and with those of their enemy: and if we admit also that a spirit of revenge for the loss of their provinces, prompted the French to a more willing alliance with the Americans during the revolution, we must regard this conquest as no inconsiderable event in the production of our independence.

During this residence in England he visited the birthplace of his father in Northamptonshire, where he inquired, with a pious curiosity, into the history of his family; and, from the humble records of their native village, has given a very favourable representation of their character. Besides moral integrity, good sense, and mechanical ingenuity, for which they were held in universal repute; some, it appears, had given indications of more than ordinary genius; as theologians, orators and even poets; and one by his skill in law and political science had attracted the notice and patronage of Lord Halifax. From some of his immediate predecessors he has traced likewise a resemblance to many of the prominent features of his own character; and, in all the members of the family, we may indeed observe the same strength of understanding, accuracy of discernment and ardour of curiosity, for which he was himself so remarkably and so honourably distinguished.

In the summer of 1762, he returned to America. Upon his arrival, the assembly of Pennsylvania voted him their thanks for his meritorious services, which, as a more solid testimonial of their approbation, they accompanied with a compensation of five thousand pounds; and as his election had been continued during his absence, he resumed without interruption, his seat in the house.

In 1763, he travelled into the northern colonies to inspect and regulate the post offices; performing a tour of about 1600 miles. At his return he was named commissioner, to raise troops for the defence of the frontier, at that time infested by the incursions of the savages. Some insurrections, also, which broke out in the interior of Pennsylvania, in which about twenty of the peaceful Indians were murdered by the inhabitants, and other acts of violence threatened, afforded him much laborious and ungrateful employment. He wrote on this occasion, a pamphlet, which rendering the proceedings of the rioters unpopular and odious, served not a little to strengthen the arm of the administration, and restore peace to an impotent and disorderly government.

In the mean time the faction of the proprietors, repenting of the facility with which they had relinquished their former pretensions, began to resume

them with increased importunity; and the assembly entertaining, at last, no hope that they would abandon privileges, upon which they had set so high a value, determined to petition the king for the entire abolition of their authority. Franklin, by whose counsels this measure was principally recommended, encountered a violent opposition, and by the intrigues and activity of his adversaries, was at length excluded, by a small majority, from the assembly, where he had held a predominant influence during fifteen years. The power of his friends was nevertheless prevalent in the house, and he was appointed, to the great regret of his enemies, to resume his agency at the court of England.

After having encountered many obstructions on the part of the governor and his adherents, he set sail from America in November, 1764, and in the following month arrived, for the third time, in England; where the many friends, whom his former visits to that country had procured him, greeted his return with an affectionate welcome. After a year's residence in London, profiting by a suspension in his political business, he made an excursion into Holland and Germany, and in the year following to Paris: in which countries, even during this rapid perambulation, he formed many useful and illustrious acquaintances. In the latter place, especially, where

a knowledge of his reputation was already extensively circulated he was received with marks of unusual distinction. He was introduced to Louis XV. and to the different members of the royal family, and was entertained amongst the nobility and gentry of the court, with all that hospitality and courtesy for which the French nation is so eminently distinguished. From the members of the Academy of Sciences, of which he was soon afterwards elected an associate, and from the other literary corps, with which the French capital, at that time abounded, he received the most flattering testimonials of esteem. These accumulated honours served to animate his activity, as well as to give a more ample authority to his future counsels; the knowledge, also, which he acquired of the politics, customs and fashions of the courts of Europe, enlarged the limits of his usefulness, and prepared him for that more conspicuous scene of his life, in which all the subordinate and provincial interests were soon to merge and disappear.

The famous project which the British ministers had formed, of taxing their colonies, had been communicated by their agents to the provincial assemblies in 1764, some time before the departure of Franklin from America; against this measure he was amongst the first and most ardent in proclaiming his opposition; and being at this time high in reputa-

tion, his influence, we may reasonably suppose, was not ineffectual in diffusing the same sentiments amongst his countrymen. On his arrival in England, he presented a petition against the projects of the ministry, of which he had himself been the principal instigator, from the Pennsylvania assembly; and whatever additional opportunities his situation afforded him, he employed with the utmost zeal and industry, to obstruct the further progress of this law, from which he anticipated so many unhappy and fatal consequences.

And when the malignant influence of the ministry, had carried their stamp act into effect, his exertions were not intermitted; but uniting with the minority, he interposed his utmost endeavours against it; first to obviate the evil consequences, and finally to procure the abrogation of that noxious statute; and though his efforts were insufficient to arrest, or divert the headlong torrent by which he was opposed, they were at least, not ineffectual in diminishing its destructive force and rapidity.

During the violent altercations which arose upon the merits of this subject in parliament, it was proposed by the party in opposition, in order to obtain more ample and authentic information concerning the interests and feelings of the Americans, that Franklin should be interrogated publickly, before

the house of commons. Accordingly on the 3d of February, 1776, he was summoned to attend the house for that purpose; an order which, as it afforded him a splendid opportunity of favouring the designs of the opposition and the interests of his country, he promptly and cheerfully obeyed; and to this expedient the advocates of the repeal were in no inconsiderable degree indebted for the success of their exertions. Franklin, independent of the weight of his pre-established reputation upon public opinion, possessed in a very eminent degree, all those natural endowments and acquired abilities, which, in such a conjuncture, would render his co-operation honourable and effectual; besides a dignity of appearance; a prompt and sagacious understanding, and a mind equally unmoved by the illusions and undismayed by the insolence of power; he had, by the occupations of his life, acquired concerning the politics both of America and England, all that minute and extensive knowledge, which was especially requisite to the illustration of the subject in agitation.

He contrived, in concert with his friends in the house, to introduce upon this occasion, nearly all the important topics of the controversy; which he treated with a solidity and acuteness of reasoning; a diffusion of knowledge and dignity of manner, that

not only extorted the commendations of his enemies, but exceeded even what his friends, in their highest admiration, had conceived of his genius and abilities.

The whole of this examination, being published, was read with the greatest avidity both in America and England. In America it produced in his favour, the liveliest emotions of gratitude; and in both countries added greatly to the lustre of his reputation.

In the part, however, which he took in the first stages of this contention, it is apparent from the general tenor of his politics, that he entertained no farther design than that of vindicating the constitutional liberties of his country; and that no ambition of her independence had at this time entered his imagination. He was indeed, sensible, as were all other men of observation, from the situation of these colonies; their increase of population, and from the principles of liberty which were diffused amongst them in their first elements, and had strengthened with their growth, that they were not long destined to exist under any species of external government; and much less under a tyrannical and arbitrary authority; and if we refer to the sentiments expressed every where in his writings of this period, he looked forward to their independence with no common sensibility. This event, he wished however, to be left

to the peaceful operation of time; until that period when the maturity of the colonies, and their ripened vigour, should at once justify their separation and enable them to assume the reins of self government, without violence or convulsion. From sentiments, both of reason and humanity, he therefore viewed these dissentions in their origin with anxious and melancholy apprehensions; knowing that the issue of the contest was extremely problematical, and that an unsuccessful termination of it, if not fatal to the liberties of his country, would involve her in the most distressful calamities.

There were other motives which led him, also, to regard the introduction of the dispute, at this time, with vexation and disquietude. He held, from the bounty of the British government, a considerable office of honour and emolument; he had resided in England, where he had received many essential services, and had been entertained with the most generous civilities, during a great portion of his life; and had formed there many personal attachments: so that not only the ties of a common language, proximity of blood, and identity of laws and institutions, but every motive of affection and gratitude concurred to influence his predilections in favour of that country.

He endeavoured, therefore, with the utmost zeal and sincerity, to effect an accommodation, and employed during his examination, and in all his writings and conversations, every argument which he supposed would tend to accomplish that honourable purpose. To the minority he endeavoured to point out the advantages both to England and America, and especially to England, of preserving union and harmony between them. The Americans, he said, had until that period, been animated with the warmest zeal for the interests and glory of England, and were attached with so devoted an affection to her government, that nothing but the most inevitable necessity could impel them to wish for a separation from it: That from their earliest infancy, although they had struggled with little aid or compassion from the mother country, through extreme difficulties and dangers, they had nevertheless retained their loyalty, and had been ready, both by money and personal services to defend, on any emergency, the interests and honour of that country; nor was it probable that under more easy circumstances they should now fail to reciprocate a kind treatment, or refuse to contribute a generous proportion to her necessities.

But at the same time that he endeavoured to inculcate the assurance that this political union with Britain, was conformable to both the interests and

inclinations of the colonists, he represented them as still more attached to their liberty than any other human consideration; there was, he said, no present advantage which they would not willingly sacrifice; no future consequence which they were not prepared wholly to disregard, rather than submit to the injurious measures by which it was proposed by the ministry to govern them. On the other hand, in his letters to America, whilst he recommended firmness and unanimity in their opposition, he endeavoured to inculcate amongst his countrymen, a more pacific and moderate spirit, and expressed his sorrow at the wild disorders, to which, in some instances, the warmth of their resentments had led them. Of the offensive measures of the parliament, he endeavoured to throw the odium upon the evil counsellors, under whose influence the administration had accidentally fallen, and to entertain the expectation of a government more lenient and equitable, at the expiration of their temporary authority. By these means, he strove to suppress, in their origin, national animosities, of which he perceived the progress with great regret, and of which he well knew the natural tendency was to extinguish all future prospects of a cordial reconciliation.

When the repeal of the stamp act was accomplished, he continued still his endeavours to extin-

guish the angry passions which had been kindled by the operation of that law, and to obtain from the parliament a still further abatement of their injurious and offensive regulations. Various circumstances, however, concurred in rendering this, as well as all succeeding efforts of the same nature unsuccessful.

The resolutions of the town of Boston, published early the next year against the importation of foreign merchandize; affecting the interests of trade in England, and being devised in opposition to the commercial system of the parliament, excited an immoderate clamour, and revived the badly extinguished animosities, in both countries; for the enemies of the late repeal, not only resumed, under the favour of this and other circumstances, their authority in the nation, but soon extended their pretensions beyond their former bounds; and representing the Americans as a rebellious and ungovernable race, growing more insolent by indulgencies, were now resolved to exercise no further measures of lenity and condescension.

Although the encouragement of useful manufactures, was a favourite policy of Franklin, with regard to America, having a tendency to preserve his country from the corrupting effects of foreign luxuries, and to lessen her dependence, he nevertheless

observed the resolutions of the Bostonians, in this critical juncture, with concern; and at the same time that he approved their spirit, he considered the measure untimely, and tending only to defeat those designs which a more gradual and gentle progress might have brought to a happy issue. Endeavouring, however, to draw the best consequences from a policy he did not approve, he became, in England, its strenuous vindicator, and by exhibiting the grievances upon which it was founded, strove to obviate the hostility which his adversaries were labouring to excite against it.

But the ministry, from the general strain of his writings and convervations upon this subject, perceived that he was becoming, as they expressed it, "rather too much of an American;" and knowing how considerable an influence he must necessarily exercise over the politics of the colonies, they had recourse to flatteries and corruption in order to bias his inclinations, and to enlist, if possible, his services in favour of the ministerial party. Several individuals of high rank in the government, began to express an extreme solicitude for his welfare; and spoke with the warmest protestations of friendship, of the offices which they had designed to confer upon him, should he be pleased to remain in England. It was rumoured that he was to be made secretary of state

for the colonies. The duke of Grafton observed "that it should not be his fault, if Franklin was not provided for:" And lord North, too, "hoped that he should find some means to make it worth his while to stay." A few oblique threats were at the same time added by others, to give greater force to these persuasive insinuations; and a resolve was even moved by lord Sandwich, to deprive him of the office he then held, of deputy post master general.

These arts were met by Franklin with the language and conduct of a skilful politician. Whilst, on the one hand, he avoided any expression which might compromit his honour and reputation with regard to his native country, he did not, on the other hand, discourage any hopes which these gentlemen might be pleased to entertain of his facility or compliance with their wishes.

His situation was one which required much political caution and address; for to preserve the opportunity of serving his constituents with effect, by maintaining a familiar intercourse with the members of government, while in England, it was necessary that he should appear, at least, the common friend of both countries; a policy which required a more gentle strain of complaisance and moderation, than corresponded with the violent passions of his countrymen; and which exposed him sometimes to suspicions of

coldness or infidelity to their interests. He continued, nevertheless, under this pacific character, conscious that the final determination of the public would be in his favour, to vindicate the liberty and honour of his country.

His answers, in 1769, to Mr. Strahan, to a series of questions which were proposed, it is said, by the instigation of the ministry, are among the circumstances of this period which deserve to be mentioned to his credit. All the grievances of which the colonies complained, with the regulations which they deemed essential to the security of their liberties, are detailed in these answers, with great pregnancy of reason and sentiment, and the consequences of the ministerial proceedings foretold, at their conclusion, with a precision of foresight which is not a little remarkable. "Having answered your questions," said he, "as to what *may* be the effects of this or that measure, I will now tell you what I fear is more likely to come to pass *in reality*. I think it likely that no thorough redress of grievances will be afforded to America this session. This may inflame matters still more in that country; farther rash measures there, may create resentment here, that may produce not merely ill-advised dissolutions of their assemblies, as last year, but attempts to dissolve their constitutions; more troops will be afterwards

sent over, which will create more uneasiness; to justify the measures of government, your writers will revile the Americans in your newspapers, as they have already begun to do, treating them as miscreants, rogues, dastards, rebels, &c. to alienate the minds of the people here from them, and which will tend farther to diminish their affections to this country. Mutual provocations will thus go on to complete the separation, &c."

Although, to serve more effectually the interests of his country, he still kept up these discussions, and maintained some appearance of impartiality, it is sufficiently manifest, from the condition of affairs at this period, that he could have entertained but a faint hope of any amicable accommodation. By the introduction of British troops into Boston, and the tumults and massacres occasioned by that measure; by all the proceedings, indeed, of the government since the repeal of the stamp act, he knew well that passions were enflamed, too fierce and revengeful, to be appeased by the application of gentle remedies. He observed, also, not only in the minds of those who were entrusted with the supreme management of affairs in England, but throughout the whole nation, that there prevailed a spirit of arrogance and contempt for the Americans, or in the cant phraseology of the times, "the re-

bels of the colonies," which must have confirmed, beyond doubt, his opinions on that subject; and though he still recommended, in all his letters to the colonies, a moderation and decorum in their measures of opposition; knowing that the ministry would gladly embrace any decent pretext that might justify a more open violation of their liberties; there is nevertheless a strain of vehemence in all his writings, of this epoch, which indicate that he was himself not less exasperated than the most ardent and violent of his countrymen.

When the formation of a general congress was proposed, he was among the most active in advising that measure; believing that the appearance of such a national confederacy, would give to their cause a greater confidence amongst foreign nations, and if obliged at last to take up arms in defence of their liberties, would enable them to carry on their operations with a greater concert and probability of success.

The discovery and publication of Oliver Hutchinson's letters, which, occurred about this period, (1772) though highly honourable to the memory of Franklin, were attended by a variety of circumstances, which exposed him to the censure and malignity of his enemies. These letters of the governor of Masachusetts and his deputy, being studiously

circulated in England, were at length, by some person, wishing to employ his good offices towards both countries, conveyed to Franklin; and as they contained many injurious representations of the colonies, not only justifying the acts of violence which had already been exercised by the ministry, but advising a continuation of the same measures; considering it an obligation of his office, as agent of the colony, he transmitted them immediately to his constituents; hoping thus to transfer from the principal parties, their resentment against these intermediate instruments whose intrigues had fomented and aggravated their existing dissentions.

On the reception of these letters, in America, very dangerous passions, as he had anticipated from the irritable disposition of the people, were kindled against the governor and his associates, and a petition was immediately transmitted by the assembly of Massachusetts, praying from the crown a speedy removal and punishment of such dangerous and unworthy counsellors.

The manner by which the letters were discovered, for obvious and justifiable motives, Franklin had originally concealed; but learning that the suspicion had fallen upon an innocent individual, who on that account had been implicated in a duel, he immediately published as far as permitted, his share of the

transaction; causing a paragraph for that purpose to be inserted in the public journals. He was not indeed ignorant that, by leaving the name of the person who had originally conveyed him the papers, according to his plighted faith, in obscurity, he exposed himself to the malicious imputations of his enemies. He performed the task, however, without hesitation; suffering no considerations of this nature to prevail over what he conceived to be for his own honour and the interests of his country.

At the meeting of parliament, the petition which he had received from the assembly, he presented to the ministry; expressing his desire that an occasion so favourable should not be unimproved, of appeasing those dissatisfactions, which had been so mischievously fomented between England and her colonies. But the ministers, more intent upon personal interest than upon measures of policy, which might promote the honour and advantage of their country, had resolved to make use of this convenient opportunity, of exciting a clamour against the Americans, and of bringing into disreputation their importunate agent; knowing that any story to his disadvantage would easily find credit amongst the zealots of their party. The petition was, therefore, set aside for several months, and in the mean time many insidious slanders were, by their malicious industry, put in

circulation against him. And although these very men were at this time in possession of the most important correspondence of Franklin, transmitted by their secret agents from America, the promulgation of these letters of Hutchinson, they represented as a most treacherous and disgraceful transaction; and the press was employed to emblazon the story and proclaim its infamy to the whole world. Trusting, however, that the general tenor of his actions would, in the end, prove a sufficient apology for his conduct, he made no direct refutation of their slander; but continued, without any reference to personal abuse, to exert his ability in defending the interests of his country, and in obstructing, in his usual manner, the measures of the administration. Of the political essays which he published at this time, several pieces, from the excellent wit and sarcasm, with which they abound, are yet read with interest and have been preserved in the various compilations of his writings.

The merits of the petition came, at length, to be discussed on the 29th of January, 1774, before the privy council, and Franklin, as agent of the colony, was ordered to appear before that assembly. Here, his enemies, to gratify their ungenerous animosity, designed to consummate the many acts by which they had attempted to blast his reputation, by a personal

and public insult. They were attended by a large concourse of spectators, who had been invited to partake of the edifying spectacle; and a Mr. Wedderbourne, was appointed to act as counsel for the governor and his accomplices. This gentleman appears to have been, both by natural endowments and acquired abilities, well qualified for such an office. He had become, by long experience in forensic litigation, extremely expert in the dialect of scurrility, and had surmounted, by the habits of his profession, all that sense of shame which restrains men of honour within the limits of propriety and decency. At a subsequent period, he was created a peer of the realm, under the title of lord Loughborough, and was dignified, no doubt, in remuneration of his eminent services, with the commission of Lord High Chancellor: in which office, according to the records of the English histories, he perpetrated many acts of barbarous cruelty, unknown since the days of Jeffries, to English jurisprudence; which have transmitted his name with detestation to posterity.

No time was lost by this orator in arguments for his nominal clients. Turning at once upon Franklin, who sat in unsuspecting security, he poured upon him the full torrent of his vulgar and abusive rhetoric. A coward, a murderer, a thief, are a few of the terms which he employed upon him.

And these gentle appellations, he so seasoned with sallies of wit and sarcasm, as excited universal amusement, and kept every visage of this grave assembly in a state of perpetual irrision. The president on one occasion laughed aloud; and the contagious joy spreading through the multitude, the whole scene was concluded, it is said, with great acclamation and obstreperous merriment. It is recorded, indeed, to the great honour of lord North, that he alone, expressed no approbation of these proceedings; which must be remarked as not the least powerful evidence of their extreme indecency and impropriety.

Franklin, during the whole of this outrage looked on with an unaltered countenance; suffering neither the obloquy of Wedderbourne, nor the sneers of the illustrious audience, by any apparent symptoms, to molest his tranquillity; so that not only his enemies were disappointed in their anticipated victory, but, by throwing a new lustre upon his virtues, contributed essentially to extend his credit and reputation. There are few incidents that, in the lives of great men, convey a more exalted opinion of their superiority, or inspire a more lasting veneration for their characters, than that of supporting the insults of power with dignity and composure. To the friends who came to salute him, at the conclusion of this

adventure, he expressed only his surprise, that in the supreme council of a nation, once so reputed for wisdom and generosity, there should be entertained so vulgar a sense of propriety and decorum.

The whole of this transaction, when we reflect upon the various circumstances which attended it, and especially upon the venerable age of the man who was the object of such opprobrious treatment, and upon the numerous benefits which his virtues and genius had conferred upon mankind, cannot be sufficiently detested. It may furnish, however, in the representation of human life, a necessary instruction, in discovering how capricious are the distinctions of fortune, and how little superior, even to the meanest passions of the multitude, are sometimes those who receive their homage and admiration.

The animosity of his enemies was, however, not yet appeased. To gratify, still further their illiberal hostility, they removed him from the office, which he had a long time filled with honour and abilities, of Deputy Post Master General; they interrupted the payment of his salary, which he had heretofore received in England, as agent of the colonies; and finally, they instituted against him, a suit in chancery concerning the above mentioned letters of Hutchinson; which latter expedient they contrived,

it is said, to prevent any discussion he might be disposed to attempt in relation to that subject. This was, however, a nugatory precaution; for of these personal injuries he had resolved to make no account; sensible that the universal reproach which they had incurred by their indecent management of this business, would afford him, in the minds of all reasonable men, a sufficient vindication. But the events of this period, though he thought proper to dissemble his resentment against the authors of them, it is evident from the tenor of his future conduct, made a very deep and lasting impression upon his feelings. During the remainder of his residence in England, he absented himself from the ministerial levees; and wrote on his passage to America, concerning these transactions, a minute and circumstantial detail; which has been introduced by his grandson in continuation of his Memoirs.

The friends of Franklin, ashamed of the ill usage he had received; and sensible how inappropriate it was to his age, merits and character, now treated him with increased attention and civility. Even his enemies, perceiving that their ungenerous persecutions had turned the public favour on his side; in alleviation of the dishonour they had incurred, made advances of politeness towards him; and very few, however rancorous the antipathy they bore

him, were willing to acknowledge any concurrence in a transaction, which had proved so dishonourable to the authors of it. The accounts from America, about this time, proved also extremely unfavourable to their popularity. The violent measures which they had employed against New England, having terminated unsuccessfully, now involved the party in many serious difficulties, and rendered them solicitous for the ascendency of their party and the preservation of their places; and conscious of the great influence of Franklin, over the measures and counsels of the colonies, they set themselves with emulation to court his favour; using many stratagems to draw him into some plan of accommodation between the two countries consistent with their interests and policy. To avoid the indecency and humiliation of a personal intercourse with the man whom they had pursued with so much malice, a communication was sought for this purpose, through the medium of common friends; to which, although he well knew that little repentance accompanied this sudden recantation, and that little hope ought to be indulged of any amicable composition of their differences, at the present state of the dispute; as it afforded him an opportunity of discovering their pretensions, and of urging the rights of his countrymen, he willingly acceded. Many

conferences were held, and many weeks of continual and laborious application, spent in discussing the interests of each party, and in drawing up such a plan of conciliation, to be presented to the ministry, as it was supposed would prove acceptable to their wishes, and if not to accomplish an immediate reconciliation, tend to soften at least the animosities of both countries, which the rancour of controversy had now so greatly enflamed.

The persons employed on this occasion were very judiciously selected; Mr. Berkley, Dr. Fothergill, Governor Pownal, Lord Hyde and Lord Howe; men of moderate politics, and with all parties, of the highest estimation and authority. The house of Mrs. Howe, sister to the latter nobleman, and a lady, according to the account of Franklin, of uncommon merit and accomplishments, was the place of their meetings; she courted the visits of Franklin by an invitation to chess, a game for which she heard of his partiality; during which, she commended his skill and entertained him with very intimate discourses upon science, politics and philosophy. Her brother then, and his colleagues, conducted their plans with much ingenuity. The Doctor declaimed pathetically of civil wars, and of the efforts and sacrifices that ought to be made to obviate their calamities. Lord Howe, especially, expressed, for

the abilities of Franklin, the greatest deference, and desired that he would accompany him as his secretary, or as a friend and counsellor, to America, where he was about to proceed under commission of the administration; assuring him that he might expect the most generous and ample employments, should an accommodation be effected by their mutual exertions, suitable to the dignity of the British government. He offered, likewise, to procure him the immediate payment of his salary, which had been suspended, and begged that the ministry might be allowed the present opportunity of testifying their favourable dispositions towards him. The same magnificent promises were reiterated, in an interview with Lord Hyde, who assured him that, by co-operating with the ministers, he would not only be honoured in England, but "rewarded perhaps beyond his expectation." These arts were extremely plausible, and the more dangerous, as they were disguised under the mask of benevolence, sincerity and friendship. But Franklin had now grown old and wise in the knowledge of mankind, and was no longer plastic under the hands of knavery.

To the overtures of these noblemen, he made, however, such replies as corresponded to the occasion; as were required by his own dignity and the

relations he bore towards them. One of the ruling maxims of his life, was to live, as far as possible, in good terms with the world, and by honorable condescentions and mildness, rather to diminish the number of his enemies, than aggravate their animosity, by any display of passion or reciprocation of injuries. To Mr. Barclay however, with whom he had lived on terms of intimacy, and could use an unceremoneous discourse, who likewise importuned him with the same topics of pensions, places and emoluments, he replied, that the ministry, in his opinion, would give him a place in a cart to Tyburn, rather than any other at their disposition.

The arguments and sentiments used during this conference, have been detailed by Franklin in his Memoirs; and as regards either capacity or patriotism, are highly honourable to his memory. He drew up, at the request of the ministerial agents, a project in writing, in which he comprehended all the essential injuries of which the Americans complained, and the principles upon which alone, an accomodation could be effected; introducing such reflections and illustrations as were required by the interests of the discussion. He still insisted that in the colonies there existed the most devoted reverence for the British government; that the community of language, sympathy of religion, and identity of laws and cus-

toms, were the strongest ties of national fidelity; of which it required but a generous cultivation in the present case, to render the union between the two countries, permanent and agreeable: That the colonists were, however, accustomed to regard, in their fullest plenitude, all the privileges of Englishmen, as their birth right; that having encountered the perils of the ocean; the privations and dangers of the wilderness, and the ferocity of savages, in quest of that freedom of which they had been bereaved in their native country, they very reasonably considered their privileges increased rather than diminished by their act of emigration. He placed before them the circumstances of their own revolution, by which they had acquired with so much glory, their inestimable privileges, and infered from a parity of reason and justice, the iniquity on the part of England of attempting, and the disgrace on the part of the Americans of suffering any diminution of their rights and liberties. Reparation of injury, he said, was amongst the first merits of a nation; and even condescentions shown by the stronger party, as they could imply no pusillanimous considerations, were deemed in the highest degree, generous and honourable.

His opponents on the other hand, spent much time and much ingenuity, in doubts, scruples and

alterations, in abating from his pretensions, and in reconciling the opposite and incompatible interests of the parties, in expressing hopes that they would at last be enabled to produce some plan from their various modifications which would be sufferable by the fastidious and prurient appetites of the ministry. The principal topics on which they enlarged, were the exposed condition of the colonies, and the power of England; the multitude of her ships, and omnipotence of her armies: "They will ravage your whole country," said Mr. Berclay, "and lay your sea-port towns in ashes." "The chief part of my little property," replied Franklin, "consists of houses in those towns. Of these, indeed, you may make bonfires and reduce them to ashes; but the fear of losing them will never alter my resolution, to resist to the last, the claims of parliament."

These negociations, which had been prolonged by both parties, perhaps with no further design than that of discovering the extent of each others pretensions, were at length ended, by the arrival from America, of the transactions of the first congress; which caused much excitement in England, and now furnished new subjects of debate and speculation.

On the first of January 1775, Lord Chatham introduced in the house of Lords, his celebrated plan of conciliation, on the subject of which he had sought

with Franklin, frequent and public interviews. He professed great esteem for his character, and in the affairs of America, the highest deference for his advice and opinions. "I pay you these visits," said he, "that I may rectify my judgment by yours, as men do their watches by a regulator." On the present occasion he led him by the arm, into the house of lords, which was frequented by a very numerous crowd of spectators. This distinguished familiarity of a man, who held the very highest rank amongst the English nobility, and who was not less a favourite of nature than of fortune, drew upon him a particular and favourable attention; which joined to the countenance and approbation he had received from many other distinguished members of the parliament, not a little inflamed the animosities which the ministerial faction had already entertained towards him; perceiving that he had not only resisted their seductions, but had risen into reputation under the very efforts which they had used to depress him.

Lord Chatham, having explained and supported his motion, was followed in reply by lord Sandwich; who, in the course of a very passionate harangue, declared that this motion of Chatham's was disgraceful to his name and should be rejected with contempt; that he did not believe it to be the production of any British peer; and added, turning towards Franklin,

who leaned upon the bar, "I fancy I have in my eye the person who drew it up: One of the bitterest and most mischievous enemies that this country has ever known." Under this allusion, so severe and offensive, although it drew upon him the observation of the whole assembly, Franklin remained, as if unconscious of the application, with a composed and unaverted aspect; or to use his own expression in relating this story, "as if his countenance had been made of wood." Chatham replied, that were he the first minister of the country, he should not be ashamed to call publickly to his assistance, a person so eminently acquainted with American affairs, as the gentleman alluded to, and so ungenerously reflected on; "one," he added, "whom all Europe holds in the highest estimation, for his knowledge and wisdom; whom she ranks with her Boyles and her Newtons; who is an honor, not to the English nation only, but to human nature."

Franklin now perceived that the contention had reached to a crisis when his presence was no longer necessary in England; and that the government had resolved to prosecute their measures of violence, against the colonies, to the last extremity. He prepared, therefore, for his return to America, that he might aid his countrymen by his counsels, in the prosecution of the war which he saw approaching.

Other circumstances also occurred which tended to hasten his departure: he received intelligence about this time, that his residence in England was no longer secure; that the ministers were preparing his arrest, either that they might detain him in captivity, or inflict an exemplary punishment upon him as the promoter of rebellion: nor had he great reason to suppose that they, who had so grossly outraged the principles of generosity towards him, in gratifying their malevolence, would feel a very scrupulous regard for the sacredness or formalities of justice.

During this long residence in England, he had been treated with all the rancour and malice, and abused with all the resentful and unmanly arrogance which power usually produces in ignoble minds. He had, however, the satisfaction of seeing, on the other hand, that his merits were approved by the most worthy portion of the community. Of the marks of attachment, friendship, generosity and affectionate attention which he received during his stay in that country, he has expressed in various parts of his correspondence, the warmest gratification. To his son, he wrote thus in 1772: "a general respect paid me by the learned; a number of friends and acquaintances among them with whom I have a pleasing intercourse; a character of so much weight that it has protected me when some in power would

have done me injury, and continued me in an office they would have deprived me of; my company is so much desired that I seldom dine at home in the winter, and could spend the whole summer in the company of inviting friends, if I chose it. Learned and ingenious foreigners that come to England almost all make a point of visiting me, for my reputation is still higher abroad than here; several of the foreign ambassadors have assiduously cultivated my acquaintance, treating me as one of their *corps.*" &c.

On his voyage homewards, to relieve his mind from the fatigues of business, he employed himself in philosophical speculations, and made some of those ingenious experiments which are found among his writings, on the waters of the ocean. He wrote also, a circumstantial detail of the whole of his public operations during his absence. This detail, which constitutes a very interesting portion of his biography, has been lately published in his Memoirs, by his grandson. It furnishes many conspicuous examples of his devotion to Liberty; of his spirit and patriotism, and affords a specimen of those diplomatic abilities, which proved at a future period, so beneficial to his country; and have ranked him, as well for skill as for honesty, amongst the most distinguished politicians of his time.

This portion of his history should not be concluded without adding to it, the following remarks of Dr. Priestley. "It is probable," says he in his Memoirs, "that no man now living was better acquainted with Dr. Franklin and his sentiments, on all subjects of importance, than myself, for several years of the American war. He took every method in his power to prevent a rupture between the colonies and the mother country. He dreaded the war, and often said, that if the differences should come to an open rupture, it would be a war of ten years. That the issue would be favourable to America, he never doubted. The English, he used to say, may take all our great towns, but that will not give them possession of the country. By many persons, Franklin was considered as so callous, that the prospect of all the horrors of a civil war would not affect him; This was far from being the case. A great part of the last day that he passed in England, we spent alone together. He was looking over a number of American newspapers, directing me what to extract for the English ones; and in reading them, he was frequently not able to proceed for the tears literally running down his cheeks. To strangers he appeared cold and reserved; but where he was intimate, no man indulged more in pleasantry and good humour. By this, he was the delight of a club to which he al-

ludes in one of his letters to me, called the *whig-club*, of which Dr. Price, Dr. Kippis, and others of the same stamp, were members."

He arrived in the beginning of May 1775, in Philadelphia, and was received with all those marks of esteem and affection, which his eminent services merited. His zealous exertions for the welfare of his country, which had already drawn upon him the warmest applauses, now opened his way to the highest honours of the state. Immediately on his arrival, he was elected by the legislature, a delegate to the general congress; to which he added, in the opinions of all men, a new lustre and authority; and although advanced beyond the vigour of life, he shared in its most important toils with incessant activity. "My time," he observes to a friend in London, "was never more fully employed. In the morning at six I am at the committee of safety, which holds till nine; and at the congress till after four in the afternoon. These bodies proceed with the greatest unanimity, and their meetings are numerously attended. It will scarcely be credited in Britain that men can be as diligent with us from zeal for the public good, as with you for thousands per annum. Such is the difference between uncorrupted new states and corrupted old ones." He was the chief instrument in procuring the issue of

the paper money employed in the expenses of the war; he projected a *cheveaux de frize*, for the protection of Philadelphia, then the residence of congress; and by that body was sent on a mission to Canada to solicit the co-operation of that province with the general confederacy. With these labours, he managed also the duties of the general post-office, at the head of which he had been placed by congress; and finally, in procuring the Declaration of Independence, he contributed his endeavours with the utmost zeal and application; nor can we ascribe to his authority and exertions a small share in the accomplishment of that auspcious and glorious resolution; for besides the general influence of his reputation and abilities, the intimate intelligence, which a clear inspection of the designs of the British cabinet was supposed to have procured him, caused his opinions and arguments to be relied on, in the discussion of the measure, with much favour and condescension.

Amongst the inhabitants of the colonies, there were many who, though passionately devoted to the cause of liberty, fearing that their strength might prove insufficient to achieve and maintain their independence, were yet irresolute; and some who believed that their grievances, though violent, were not sufficiently aggravated to authorize a general

rebellion, and who still entertained a hope that some amicable composition of their diffrences might yet be effected. Franklin, whose experience had forced him into the conviction that the quarrel must now proceed to extremities, endeavoured early, to dissipate these delusive and dangerous opinions. On the other hand, he strove, in the various letters which at this time he wrote to England, to impress the belief, not very common with their best friends in that country, of the unanimity of the colonies, and their resolution of resorting to arms in defence of their violated liberties. By the following extract of a letter to Dr. Priestley, we shall see the general strain of his correspondence: "Britain, I conclude has lost her colonies forever. She is now giving us such a miserable specimen of her government, that we shall ever detest and avoid it as a complication of robbery, murder and pestilence. If you flatter yourself with beating us into submission, you know neither the people nor the country. You will have heard before this reaches you, of the defeat of your troops, by the country people of Lexington; of the action of Bunker's Hill, &c. Britain, at the expense of three millions, has killed one hundred and fifty Yankees, this campaign. During the same time, sixty thousand children have been born. From these data the mathematical head of our dear good friend Dr.

Price, will easily calculate the time and expense that may be necessary to kill us all. Tell him, as he has sometimes doubts and despondencies about our firmness, that America is determined and unanimous."

The opinions which a great portion of the people in England had conceived of the mutinous and refractory disposition, and of the incapacity and pusillanimity of the colonists; and the vain presumptions which they had entertained of their own superiority of strength, rendered not only their statesmen deaf to the voice of reason and argument, but infused into their armies a spirit of insolence and cruelty, which they had not displayed in their most violent wars with foreign nations. No sooner had their troops landed upon the territory of the colonies, than, as if exempted from all the ordinary restraints of humanity, or believing that any mercy shown to its criminal and rebellious inhabitants, would derogate from the dignity of their sovereign, they set themselves with emulation, to ravage and plunder it. And not satiated with the blood they had shed upon the field of battle, exercised against the miserable prisoners who fell into their hands, the most licentious and barbarous ferocity. These circumstances excited through the whole continent, sentiments of indignation and revenge; and Franklin, who had by this time been

sufficiently weaned of his English partialities, under the influence of these events, appears to have been transported beyond the ordinary moderation of his character. Of the papers which he offered to congress about this time, the expressions were considered by his colleagues, notwithstanding the violent passions with which they themselves were animated, too acrimonious, and the sentiments too indignant for the occasion. With many of his friends, with whom he had heretofore lived in familiar intercourse, and even with his nearest relations of opposite politics, he suppressed until the conclusion of the war, all further correspondence; and some of his letters are now extant, which manifest, in a high degree, the warmth and exasperation of his feelings.

In May 1776, he was appointed with John Adams and Edward Rutledge to hear certain propositions of English commissioners who had arrived upon the coast, whose purpose was to propose terms of accommodation, or rather "offer pardon upon submission," to the American Congress. Of these commissioners, the principal was Lord Howe, who immediately on his arrival, addressed a letter accompanying his official papers to his "worthy friend and old acquaintance," Dr. Franklin, in the hope of enlisting his influence in promoting the great object of "the king's paternal solicitude." The following

are some extracts, which deserve to be selected, from Franklin's reply, as highly honourable to his patriotism and abilities:

"Directing pardons to be offered to the colonies, who are the very parties injured, expresses indeed that opinion of our ignorance, baseness, and insensibility, which your uninformed and proud nation has long been pleased to entertain of us; but it can have no other effect than that of increasing our resentments. It is impossible we should think of submission to a government, that has, with the most wanton barbarity and cruelty, burnt our defenceless towns in the midst of winter; excited the savages to massacre our peaceful farmers; and our slaves to murder their masters; and is even now bringing foreign mercenaries to deluge our settlements with blood. These atrocious injuries have extinguished every spark of affection for that parent country we once held so dear: But were it possible for *us* to forget and forgive them, it is not possible for *you* (I mean the British nation) to forgive the people you have so heavily injured.

"Your nation, though by punishing those American governors who have fomented the discord, rebuilding our burnt towns, and repairing as far as possible the mischiefs done us; she might recover a great share of our regard; and the greatest share of

our growing commerce, with all the advantages of that additional strength, to be derived from a friendship with us: Yet I know too well her abounding pride and deficient wisdom, to believe she will ever take such salutary measures. Her fondness for conquest as a warlike nation; her lust of dominion as an ambitious one; and her thirst for a gainful monopoly as a commercial one (none of them legitimate causes of war;) will join to hide from her eyes every view of her true interest.

"Your Lordship may possibly remember the tears of joy that wet my cheek, when, at your good sister's in London, you once gave expectations that a reconciliation might soon take place. I had the misfortune to find these expectations disappointed, and to be treated as the cause of the mischief I was labouring to prevent. My consolation under that groundless and malevolent treatment was, that I retained the friendship of many wise and good men in that country; and among the rest, some share in the regard of Lord Howe.

"The well founded esteem, and permit me to say affection, which I shall always have for your Lordship, make it painful to me to see you engaged in conducting a war, the great ground of which, as described in your letter, is "the necessity of preventing American *trade* from passing into foreign chan

nels." To me it seems that neither the obtaining nor retaining any trade, how valuable soever, is an object for which men may justly spill each others blood; that the true and sure means of extending and securing commerce, are the goodness and cheapness of commodities; and that the profits of no trade can be ever equal to the expense of compelling it, and holding it, by fleets and armies. I consider this war against us, therefore, as both unjust and unwise; and I am persuaded, that cool and dispassionate posterity will condemn to infamy those who advised it; and that even success will not save from some degree of dishonor, those who have voluntarily engaged to conduct it.

"I know your great motive in coming hither, was the hope of being instrumental in a reconciliation; and I believe, when you find that to be impossible, on any terms given you to propose, you will then relinquish so odious a command, and return to a more honourable private station."

In July 1776, Franklin, in addition to his various occupations, was appointed president of the convention, held by the advice of congress, for the purpose of giving a new form of government to the state of Pennsylvania. The constitution then organized, principally by his advice and authority, which consisted of plural executive and single legislature, has

since been altered. Whether the intrinsic excellence of a more complex system of legislation, or a reverence for English institutions, to which the people, both by the example of their sister states, and by the early habits of their education, were predisposed; or whether it was the inadequacy of the form preferred by Franklin, that authorized this alteration, may perhaps admit of some doubt. According to the maxim of a very wise legislator, it is not always the best theoretical form of government that should be recommended in a state; but that which bears the nearest conformity to the habits and dispositions of the people; and all history has proved, that any sudden deviation from established practice in governments, without multiplying factions and dissentions, is extremely difficult if not impossible. Franklin, in politics as well as in morals, laboured perhaps for a perfection beyond the reach of human nature; and having very closely inspected the turbulence and the dishonourable competitions, which existed in the complicated fabric of English legislation, perhaps desired a system of more simple structure and easy administration. That which he contrived for the state of Pennsylvania, remained during his life, a favourite theory: nor has it indeed been brought into great disrepute, nor the spirit of innovation yet been suppressed by any visible superiority, or acknow-

ledged beneficence or harmony, in the edifice which has been reared in stead of it.

The affairs of the colonies began, towards the close of the year 1766, by a rapid series of disasters, to wear a melancholy and threatening aspect. The defeats of Long Island, the capture, by the British troops, of New York, and Fort Washington; the disaster of general Green, and retreat of general Washington through New Jersey, pursued by a victorious army; the barbarous and unnatural severity with which the enemy exercised their victories; all these circumstances had spread alarm throughout the colonies, and had reduced their condition to a dangerous extremity. Their scantiness of revenue rendered it also, impossible that they should long maintain an army upon the field; and the superiority of discipline on the part of the enemy, rendered a small number of their troops extremely formidable. When the congress in this emergency, had resolved to apply to some foreign power for assistance, their attention was naturally turned towards Franklin; his age, experience and knowledge of the European courts, had qualified him eminently for such a service; and his love of liberty and secret feelings towards England were such that he was not likely to fail in vigour or activity in the execution of its duties. He was, therefore, appointed commissioner to the court

of France; that government, it was well known, would not be displeased with any circumstance which could give disturbance to the power of an inveterate rival; or neglect any opportunity which should be offered, of healing the wounds which, in the last war, had been inflicted on the reputation and glory of her arms; the remembrance of which, she had borne with indignant impatience. Franklin, though he had designed, after the many fatigues he had undergone in foreign embassies, to spend the evening of his life in his native country, seeing the importance of the emergency, accepted without hesitation, this appointment; and in the end of October, 1776, in the seventy-first year of his age, set out upon this voyage.

He had already taken some steps to sound the intentions of the European governments, and to enlist the affections of influential individuals, in the interests of America, as early as the year 1775. He had carried on, for this purpose, and under the sanction of congress, a correspondence with Holland; as may be seen by his letters to Mr. Dumas of Amsterdam. And in a literary correspondence with Don Gabrial, prince of Bourbon, he used every effort to conciliate the favour of the Spanish government.

At his departure from America, he placed the whole of his possessions in money, between three

or four thousand pounds, in the hands of congress, by which he testified his confidence in the success of their cause, and induced others of more wealth to imitate his example. After a boisterous and dangerous voyage, but without any memorable occurrence, he arrived at Nantz. He reposed a few days from his fatigues, and received in that place, much useful information of the posture of American affairs; of the disposition of the French nation, and the character of the men in power; and from the generous civilities that were every where paid him, he formed a very favourable presage of his future success. He arrived in Paris on the latter part of December, and there also, was greeted with all the attentions which could gratify his feelings and confirm the expectations which he had entertained in favour of his country; but after a very short residence in the capital, he retired to the neighbouring village of Passay, and resided there during the whole of his subsequent stay in France.

The high reputation which in earlier life he had acquired, as well as the particular causes of his present visit, procured him on his arrival in France, an easy access to all those individuals of the government who were most conspicuous for their influence and authority; whose acquaintance he assiduously cultivated, and whose friendship and co-operation

became powerful auxiliaries, to the accomplishment of his future projects. The French cabinet was at this time, filled with men of very estimable characters, all of whom were unanimous in their personal attachments towards him. By the minister, de Vergennes, he was received on his arrival, with the most polite affability, and during the whole of his residence at court, treated with every mark of esteem and confidence. But that which contributed as much as any other cause to his success, was the reputation he enjoyed amongst men of science and letters; for this class of people possessed, at that time, a predominant influence in the nation; gave a tone to the public sentiment, and in a very essential degree, determined the policy of the government.

But notwithstanding a war with England was a national passion with the French; and the most pathetic sympathy, especially by the military part of the kingdom, which was eager to engage in the quarrel, was now expressed towards the American cause; there were many circumstances which Franklin had to encounter, that obstructed the immediate success of his operations. Kings are ever averse to patronize rebellion, however their present interests may be promoted by it; and subjects are ever in the wrong, in their estimation, when placed in opposition to their sovereign. The affairs of the colonies

were also reduced, at this time, to a dangerous extremity, and by many regarded as desperate; the French cabinet, was influenced by a politic and cautious ministry; fearing, therefore, that after a declaration, they might either by a forced or voluntary reconciliation of their allies, be left to sustain the conflict alone, and perhaps repent of their precipitation, resolved to maintain at least, until the issue should appear less problematical, a concealed and ambiguous policy. The nation had, besides, been much exhausted by the efforts of a preceding war, and contemplated a new one with timidity and hesitation. They afforded, indeed, some clandestine assistance, made many professions of benevolence, and secretly promoted the disturbances, but observed all the outward appearances of the strictest neutrality.

Every effort which, on this emergency, depended on Franklin, was eminently exerted, to rouse and animate the desponding spirits of his friends, and to dissipate their well grounded apprehensions. In all his conversations and writings, even during the gloomiest period of disaster, he expressed his fullest confidence in the final success of the revolution; and by a pamphlet which he published at this time, and very widely dispersed, representing the resources of the Americans in a most favourable aspect, he en-

deavoured to spread the same sentiments throughout Europe. In all his letters, at this time, to England and to America, he inculcated the same opinions and manifested the same spirit and magnanimity. To Dr. Priestley, he observed, "to me it seems, as it always has done, that this struggle must end in our favour." At the same time to Dr. Ingenhautz, "You would be deceived, if I suffered you to remain in the supposition that I come Europe to make peace—I come to procure aids to enable us to defend our freedom and independence. We shall be able to defend ourselves, our possessions, and our liberties, so long, that England will be ruined by persisting in the wicked attempt to destroy them. I flatter myself that, old as I am, I may live to see my country settled in peace and prosperity." And to Dr. Cooper of Boston—"All Europe is on our side of the question as far as applause and good wishes can carry them. It is a common observation here that our cause is *the cause of all mankind*, and that we are fighting for their liberty in defending our own. It is a glorious task assigned by Providence; which has, I trust, given us spirit and virtue equal to it, and will at last crown it with success."

The surrender of general Burgoyne's army to the Provincial troops, the news of which reached France in October 1777, and which occasioned very

joyful sensations in that country, was an occurrence the beneficial consequences of which Franklin did not permit to remain unimproved. This was close followed by other important advantages, and the French rulers, from this period began to listen with a more prone attention to his suit, which he continued to urge with increased industry. In this conjuncture he addressed to the government an elaborate memoir, which contains many very ingenious and persuasive arguments, and which, we may reasonably suppose, had no inconsiderable effect in hastening their determination. The American ambassadors were recognized, and the treaty of alliance was concluded, with the court of Versailles, on the 6th of February 1778. Franklin, conscious of the great accession of strength and dignity his country had acquired by this alliance, did not conceal the emotions of his joy and exultation. It was remarked that, in token of his triumph, and in gratification of a resentment too legitimate to be censured, he wore on this occasion, the same dress in which he had received the abuse and mockery of the privy council.

Although the intelligence of this treaty with France, he knew, would be most gratefully received by the majority of congress and the people in America, he was aware that there were not wanting

persons in that country, even amongst the warmest partizans of the revolution, who entertained disquieting apprehensions concerning it; and who feared that the introduction of foreign troops amongst them might prove fatal to their civil and religious liberties; he likewise foresaw, that partizans of England, whose interests and pride were so much affected by this alliance, would leave no efforts unemployed to defeat it. He therefore, extolled, in all his communications with congress, its benefits, and in a manner extremely honourable to his own sensibility, the generous humanity with which it had been accorded. Of the king; of "his able and upright" minister, and of the whole nation, his correspondence is filled with the warmest praise and gratitude; and if, indeed, we consider the enthusiasm and alacrity, even beyond what they had ever manifested in defence of their own provinces, with which the French traversed the atlantic on this occasion to fight in the battles of our independence; the delicacy and fidelity with which they adhered to the obligations of the treaty, we must confirm, in its fullest application, the testimony of Franklin; and if we admit that the atrocious rage for liberty, which soon afterwards spread its havoc and desolation in their own country, received its birth, and derived its first elements from our own revolution, we

cannot but look back upon this alliance without some mingled sentiment of sorrow, that it should have proved less fortunate than it was glorious for the illustrious and generous authors of it.

After the conclusion of the treaty, the great advantages derived from the influence of Franklin in Europe, were not diminished; and the services that were imposed upon him became every day more complicate and laborious. Besides his duties as minister, he served for several years as consul, no person being appointed to fill that office; as judge of admiralty for commissioning privateers, examining their papers and determining the legality of their captures; and moreover as merchant, to make purchases and direct the shipping of stores, to a great value, that were sent to America. He was encumbered also, with a great variety of subordinate business, as the answering letters, receiving and accepting bills of exchange requiring the most tedious exertion, and many other matters wholly foreign to his ministerial functions, and which the scantiness of his resources often rendered extremely painful as well as laborious; for, to support the credit of his government and prevent the protest of their drafts, he was often subjected to the most humiliating expedients, in procuring assistance from the exhausted treasury of the French, and from other coun-

tries of Europe. All which laborious services, it should be remembered, in order to appreciate justly his merits, were performed, not only under the frequent interruptions of a violent disease, but at the age of fourscore years; a period of life when other men have usually disappeared from the scene of activity.

During these transactions in France, he received a commission from congress, to negotiate a treaty of commerce and friendship with the court of Spain, and he laboured with his usual ardour and ingenuity to accomplish that object. Knowing that any open or direct application to the Spanish court would, at this time, be indiscreet, he communicated his instructions to their ambassador at Paris, the Count of Aranda; but the Spaniards choosing to await until the course of events should justify their determinations, offered in their replies but feeble hopes of success; and Franklin, who, in all his diplomatic transactions, observed an erect and independent conduct, perceiving their temporising policy, at length treated the subject with merited indifference. "They have taken four years," says he in a letter to Mr. Jay, who was then negotiating at Madrid, "to consider whether they would treat with us; give them forty and let us mind our own business." "It seems to me that we have in most instances hurt our credit

and importance, by sending all over Europe begging alliances, and soliciting declarations of independence."

Amongst the ambassadors of other countries, then residing at Paris, he supported, in the same spirit, the dignities of his station and character; and in his intercourse of visits with them, suffered no neglect of any of the punctilios of honour and ceremony, which are observed towards each other by the ministers of independent nations. When the Russian ambassador, whose card being left at his door had occasioned a return of the supposed civility, betrayed much alarm at the accident, Franklin with his usual composure observed that he perceived no cause of embarrassment; "Prince Bariatinski has but to *erase my name* out of his books of visits received, and I will *burn his card.*"

But for the attentions paid him by foreigners, even where political motives, in some degree, repressed it, he had no cause of complaint. The American Revolution was almost universally regarded with favour, and considered as an enterprise the most important that, for many ages, had occupied the attention of the world; so that from his public station, joined with the great weight of his private character, he was viewed with a respect and consideration, that perhaps no individual, amongst the inhabitants of a

foreign country, has ever enjoyed. In attestation of this fact the examples are without number.—The Swedish ambassador had particular instructions to ascertain whether he had such powers as would authorise his making a treaty with Sweden: the king being "desirous to have such a transaction with one whom he so greatly esteemed." The emperor Joseph II., at this time on a visit to Paris, sought also an interview with him, which was only prevented by some unavoidable business. To these testimonies, we may add further, that of the court of Denmark, in replying by the minister of foreign affairs to his memorial respecting American prizes delivered up to Great Britain; "Were you," says the count de Bernstorf, "a person less known and respected, I should have been quite at a loss on the subject of the letter which I have had the honour of receiving from you. I should have considered it as a measure calculated to place us under a new embarrassment as painful as the first; but there is no risk with such a sage as you are, sir, generally revered by that universe which you have enlightened, and known for that prevailing love of truth which characterizes the well-informed man and true philosopher. These are the titles which will transmit your name to the latest posterity, and in which I am

particularly interested in relation to this unfortunate affair."

When the news of the French alliance reached England, it kindled much alarm in the nation, and the ministry of course, employed their utmost activity to counteract its effects. Commissioners were deputed to America with propositions of peace which they appeared now willing to purchase by every concession short of independence. A secret negotiation was, at the same time, set on foot with Franklin; in which they endeavoured, with much address, insinuation and flattery, to seduce him to a separate accommodation, or to enlist his interest in preserving some portion of their expiring authority; employing as emissaries for this purpose, several influential individuals with whom he had lived in intimacy and friendship while in England. He was, however, too well acquainted with the pravity of intellect and pride which prevailed amongst the British rulers, to be the dupe of their artifices. At the commencement of the dispute, he had been the strenuous advocate of union; at the present progress of it, hopes more ambitious had kindled in his mind, and a more extensive prospect had opened to his view. To the solicitations of Mr. Hutton, secretary of the Moravian Society, who was first employed on this ministerial mission, his answers were sufficiently expli-

cit to repress any expectations that might have been entertained of success. To this benevolent peace-maker, he concludes a part of his correspondence with the following remarks: "I never think of your ministry and their abettors, but with the image strongly painted in my view, of their hands red, and dropping with the blood of my countrymen, friends, and relations: *No peace can be signed with those hands.*" To the other deputies, Hartley, Pultney and Chapman, members of parliament, his communications are in the same strain. "Get first an honest ministry; drop all your pretensions to govern us; think no more of separating us from our allies, and you will find little difficulty in making peace upon equal terms. In proposing terms, offer Canada, Nova Scotia, and the Floridas, to America. If you would have in her a real friend as well as able ally, and avoid all occasion of future discord, which will otherwise be continually arising on your American frontiers, you should throw in those countries."

Besides these authorised agents, were several individuals, who in a private capacity, possessed a much more formidable influence upon the mind of Franklin. These, either secretly employed, or prompted by their own zeal, used the most earnest importunities in favour of peace, and the reunion of the colonies to the mother country. Among this number are

particularly mentioned, Mr. Hartley, a member of parliament, with whom he had long lived on terms of great intimacy and friendship; a gentleman, besides, who was animated with a high sense of honour, a sincere love of peace, and the strictest fidelity to his country: also, the celebrated Sir William Jones, not only the most accomplished of his age in letters, but a professed lover of liberty; and from a compatibility of sentiments with Franklin, perhaps the most powerful instrument that could have been selected for winning upon his affections and controlling his resolutions. After many philosophical conversations, which they enjoyed together at Passay, Sir William conveyed to him his sentiments concerning the reunion of the colonies and restoration of peace, in a very delicate and ingenious allegory; in which, under the garb of fictitious personages he was enabled to lavish upon Franklin, and his countrymen, many flatteries extremely insinuating. But notwithstanding the influence of these intercessors, their hopes terminated in disappointment. Mr. Jones returned to England with the assurance that all efforts of the kind were now unseasonable, and as he himself expresses it to lord Althorp, "that the sturdy, transatlantic yeomanry were neither to be *dragooned* nor *bamboozled* out of their liberty." When during these conversations,

Franklin was warned to beware of his personal safety, which he had learned from many sources had been threatened, he observed, with thanks to Mr. Hartley for the caution, that having nearly finished a long life, he set no great value upon the remains of it. "Perhaps," said he, "the best use such an old fellow can be put to, is to make a martyr of him."

The abilities and integrity with which Franklin disappointed these intrigues, which were continued in various forms until the conclusion of the war, is a just subject of commendation. His letters, which have been lately published, to Mr. Hartley, to Congress and to his friends in America, at this interesting crisis, form a most important portion of his correspondence. They display an acuteness and force of reasoning, an amplitude of knowledge, sentiments of honour and fidelity to his country, that must confer upon his own character an unfading lustre, and preserve the events they commemorate ever recent.

In 1782, when a change in the British cabinet, and the general hatred to which their politics had been exposed by their ill success in the operations of the war, concurred in heightening the prospects of a peace favourable to the Americans, he still continued his exertions with the same unremitted assiduity; encouraging his countrymen and their allies,

rather to increase than to remit their zeal, until the great object which they had pursued through so many toils and dangers should be accomplished. In his letters to congress and to general Washington, he advised the most active preparations for the ensuing campaign; he endeavoured likewise, to strengthen, as far as possible, that confidence, which misapprehension or jealousy had in some instances weakened, amongst the Americans, in the benevolent dispositions of France. He urged, not only as an obligation of justice and gratitude, but as a necessary policy, at this time, a steadfast adherence to their alliance; considering that in this conjuncture, a formidable exhibition of their strength, was the only sure means of obtaining such conditions from the enemy, as would secure their liberties, and promote the future glory, greatness and prosperity of their country.

The extreme unwillingness of the British government to acknowledge the independence of the colonies, and renounce their authority over so important a portion of their territories, together with their indignation at the disgrace they incurred by so inglorious a prosecution of the war, counterbalanced for some time, all the motives which tended to hasten an accommodation. They continued, therefore, even after the military operations had ceased, their

arts of intrigue and circumvention; and various expedients were again tried to dissever the bonds of the American and French confederacy. Agents were employed to treat with Franklin; others with the court of France, and propositions were at the same time made by general Carlton to the American congress, in order to induce the several parties to a negotiation without the privity or concurrence of each other; and various calumnies were also put in circulation to weaken their mutual confidence; which, it is believed, were not altogether without effect. The French appeared at least, about this period, to entertain some diffidence of their allies; nor were there wanting men of influence in America, to aggravate injurious suspicions; even to advise a separate treaty with England, and disapproving the gentle and temperate conduct of Franklin, to throw out many violent reflections against him.

Much praise has been justly ascribed to the prevalence of the authority and capacity of Franklin in creating this alliance; nor is less due to the diligence and integrity which he employed in preserving the union of elements, so incongruous and discordant, in the midst of devices so ingenious and efforts so laborious, as were employed to accomplish their dissolution. It was this connection with the French, as he believed, that had given weight to his country with

England and respect throughout Europe; to the co-operation of their arms he ascribed, in a great measure, her signal success, and he preserved personally towards these benefactors of his country, a sincere and lasting attachment. In all his communications with America and England, he endeavoured to inculcate the same sentiments, and the motives of honour, of gratitude and interest, which urged a continuation of their mutual friendship. "We cannot be too careful," says he in a letter to Thomas Mifflin, "to preserve the friendship we have acquired abroad, and the union we have established at home, to secure our credit by a punctual discharge of our obligations of every kind, and our reputation by the wisdom of our counsels; since we know not how soon we may have fresh occasion for friends, for credit and reputation." In a letter to Mr. Hurly on the subject of a separate negotiation, he also remarks, "America has too much wisdom, is too sensible of the world's good opinion to forfeit it by such perfidy. The congress will never instruct her commissioners to obtain a peace upon such ignominious terms; and though there can be but few things in which I should venture to disobey their orders; yet if it were possible for men to give such an order as this, I should certainly refuse to act: I should instantly renounce their commission, and banish myself forever

from so ungenerous a country. I should think the destruction of our whole territory, and the extirpation of our whole people preferable to the infamy of abandoning our allies."

After frequent conferences had been held on the subject of accommodation, the English government in 1682, consented after much hesitation, to renounce her claims of sovereignty, and to treat with the colonies as free states. The dissentions which arose during the negotiation concerning boundaries, fisheries, restitution of confiscated property, and other objects of this nature, were extremely tedious and intricate. The labour was, however, divided by the arrival of his colleagues, Mr. Adams, Mr. Jay and Mr. Laurens; and the business was by their mutual exertion, very auspiciously accomplished; advantages being gained very far beyond what either in France or America had been anticipated; and if we may judge from the strain of the letters of Franklin, far beyond his own expectation. "Had it not been," says he, "for the justice of our cause and the consequent interposition of Providence, in which we had faith, we must have been ruined. If I had ever before been an atheist, I should now have been convinced of the being and government of a Deity. It is he that abases the proud and elevates the humble: may we never for-

get his goodness to us, and may our future conduct manifest our gratitude." So little did the French ministry anticipate concessions so ample on the part of England, that during the discussions, they advised the American commissioners to make an abatement of their pretensions. This joined to some hesitation which they had manifested in the commencement of the negotiations, occasioned a suspicion, which the malice of some writers has yet entertained, that they were secretly averse to a peace favourable to their allies: and that some incompatible interests or selfish views, had diminished their friendly affection towards them; but this surmise is not only refuted by the direct testimony of Franklin, whose situation afforded him the best opportunity of penetrating the views of that court, but by all the circumstances which attended the accomplishment of the treaty. It was concluded definitively and with the implicit approbation of the French government, on the 3d of September 1783. It diffused great joy in America, and gratitude to all those by whose instrumentality it had been successfully accomplished.

This business, now happily terminated, which he regarded as the consummation of the great labours of his life, Franklin solicited, on the score of his advanced age, his feeble health, and his long and

complicated services, the liberty of returning to his native country. It was not, however, until the year 1785, that by the appointment of Mr. Jefferson to succeed him, he was finally released. In the meantime he negotiated treaties between the United States, the kings of Sweden and of Prussia. An article of the latter highly honourable to his memory, and one which he had attempted without success to introduce into his negotiations with Great Britain, was the prohibiting from the injuries of war, the property and persons of unarmed individuals. The contrary practice, by which, not only the innocent and defenceless are exposed to havoc and distresses, but communities demoralized in being filled with ruffians and pirates; though dignified by the sanction of civilized nations, can scarcely be accounted for on any motive of policy or humanity. The attempt of Franklin to suppress so barbarous a custom, though singular in the history of diplomacy, and perhaps fruitless in its consequences, is not the less laudable, and furnishes an evidence of the general philanthropy which distinguished his character, and of that fervent and affectionate regard which he felt, on all occasions, for the interest and honour of his country. "I dont wish," says he in his correspondence on this subject, "to see rising up in America, a new Barbary, and our long and

extended coasts occupied by piratical states. I fear lest our privateering success in the two last wars, should already have given our people too strong a relish for this mischievous kind of gaming; and if a stop is not put to the practice, mankind may hereafter be more plagued with American corsairs than they are with the Turkish."

The inhumanity of war is a theme on which, in many of his letters, he dwelt with the most pathetic sensibility; nor was he without hope that the interests at least, of nations might prevail so far over the perversity of human nature, as to produce amongst mankind some alleviation of this calamity: "I hope," says he in a letter to Mr. Hartly, "that mankind will at length, as they call themselves reasonable creatures, have reason and sense enough to settle their differences without cutting throats: for in my opinion, there never was a good war, nor a bad peace. What vast additions to the convenience and comforts of living might we acquire, if the money spent in wars, had been employed in works of public utility; what an extension of agriculture, even to the tops of the mountains." "When," says he to Dr. Priestley, "shall we make that discovery in moral philosophy, which will instruct men to compose their quarrels without bloodshed? When will men cease to be wolves to one another, and learn

that even successful wars at length become misfortunes to those who urgently commence them?"

The affectionate intercourse which, during his residence near Paris, he enjoyed amongst the inhabitants of that polite city, afforded him in his labours and disquietudes, a most agreeable diversion, and consoled him in no inconsiderable degree, for his long absence from his native country. Of the friends which his great reputation had procured him, his private virtues and colloquial accomplishments secured their fidelity and attachment: and with the many distinguished personages, both in letters and politics, with which the French capital at that time abounded, there were few with whom he had not lived in a continual and cordial familiarity. "There appeared to me," said his successor, Mr. Jefferson, "more respect and veneration attached to the character of Dr. Franklin, in France, than to that of any other person in the same country, foreigner or native."

He visited assiduously, the French Academy of Sciences, where he was hailed, at all times, with the most respectful homage, and where he enlarged the circle of his extensive and honourable acquaintance. It was here that occurred, at a numerous and splendid meeting of this assembly, his well known rencontre with Voltaire; who like himself, had approach-

ed the last scene of a long and eventful life; and who, from the extraordinary admiration which his writings had excited among his countrymen, was now received, after an absence of twenty-seven years from his native city, with the most lavish profusion of honours. The apposition of two men, born in regions of the globe so remote, and who, in their different offices had exercised so powerful an influence upon mankind; of men so respectable by their age, as well as by their transcendant genius and the occupations of their lives, was viewed with sentiments of tenderness and admiration. At their meeting, they embraced each other affectionately, as ancient friends after a long absence, and were hailed by the repeated acclamations of the assembly. "It is Solon," said some one in the crowd: "it is Solon in the arms of Sophocles." It is related that at one of these meetings, Franklin, leading by the hand his grandson, and presenting him to Voltaire, asked his benediction; and that the latter, in placing his hands upon the head of the youth with patriarchal solemnity, pronounced aloud in the English language, "*God and Liberty:*" adding, "this is the only device that becomes the grandson of the great Franklin."

The praises also, which in France were bestowed upon his countrymen, for the valour with which they

had conducted the enterprises of the war, not less than by personal attentions, afforded him a source of gratification. "How happy," said he in a letter to general Washington, "should I be to see you in Europe; to accompany you, if my age and strength would permit, in visiting some of its ancient and famous kingdoms. You would on this side of the sea enjoy the great reputation you have acquired, free from those shades that the jealousy and envy of a man's countrymen and cotemporaries are ever endeavouring to cast upon living merit. Here you would know and enjoy what posterity will say of Washington; for a thousand leagues have nearly the same effect as a thousand years. The feeble voice of those grovelling passions cannot extend so far in time or distance. At present I enjoy that pleasure for you, as I frequently hear the old generals of this martial country, who study the maps of America, and mark upon them all your operations, speak with sincere approbation and great applause of your conduct, and join in giving you the character of one of the greatest captains of your age."

As a means of relieving the seriousness of his official business, he wrote and printed, while at Passay, some important papers on the subject of philosophy; and besides many pieces of humour, which are extant in the late collection of his works, chiefly

designed for the inspection and amusement of his friends; such as the "Dialogue between Franklin and the Gout." The "Petition of the Cats of Madam Helvetius to their Mistress." These are written with grace and elegance, and afford a very pleasant specimen of that sprightliness and good humour, which had accompanied him in all the diversities of his earlier life; and which, even in the infirmity of old age and disease, had not forsaken him. He caused to be published in French, about this time, an edition of the American Constitutions, which he dispersed throughout Europe; placing two copies in the hands of each of the foreign ambassadors, in the design of countervailing the numerous misrepresentations that were then studiously propagated, concerning the character of the Americans; and of quieting the alarms which some politicians seemed to entertain of the wisdom or stability of their institutions.

The reputation for science which he had acquired, as on the one hand it procured him many civilities, on the other, exposed him to an evil, the common calamity of men of letters; which, although it excites but little compassion in the world, is nevertheless not altogether undeserving of it. This was the unceasing importunities of authors and inventors; a tribe of people in which the French capital ap-

pears greatly to have abounded, who, by personal application and perpetual epistolary correspondence, sought his advice concerning their schemes or new inventions. This vexation he bewails more pathetically than all the torments of the stone or gout, with which, at the same time, he was grievously afflicted. Among the incidents of this nature, one of more than common importance, from the great impression which it made at that time on the public, was the supposed discovery of animal magnetism by Mesmer; for the investigation of which, he was appointed with a committee, at the express solicitation of the king, and contributed, by his authority, which has however not altogether prevailed against the credulity of the world, to expose its futility and imposture.

Perceiving a daily aggravation of his diseases, and the powers of life rapidly declining; and as nothing now remained to detain him, he made haste to set out upon his voyage to America. This intention he announced to the court on the 3d of May 1785, in a letter to M. de Vergennes, tendering his grateful acknowledgments of the many personal attentions he had received, and the deep sense he entertained of "the inestimable benefits conferred upon his country. A sentiment," he adds, "that it will be the blessing of the little remainder of life now left me,

to endeavour to impress equally on the minds of all my countrymen." The French minister in reply, no less ardent in expressions of kindness and attachment, testified the king's regard for him, and their mutual wishes for his health and prosperity; from the other officers of government, and from the nobility and gentry of Paris, he received the same flattering testimonials of esteem, and the same marks of sorrow at his departure. His extreme infirmity of health, not allowing him to endure, without injury, the motion of a carriage, the queen's litter and mules, were sent to convey him upon his journey to the place of embarkation.

He had now resided in France, without interruption, during fourteen years; and as a love of glory and a sense of gratitude were not the least powerful ingredients in the constitution of his mind, we may reasonably suppose that he did not without a sincere regret, take leave of a place, which must have excited so many endearing recollections in his memory; in which he had received honours and distinctions that have rarely fallen to the lot of an individual to enjoy in a foreign country. From his first arrival, all persons of the kingdom who had any literary pretensions, had courted his acquaintance with eager and unremitted kindness; and after his recognition as minister, he received at court, attentions more

honourable than were paid to the ambassadors of the most splendid and powerful monarchies of Europe. In his social intercourse with the inhabitants of Paris, all strove with emulation, who should do him most honour; by festivals, by entertainments, and by every mark of personal attachment. Nor was this fervour of esteem for his character, confined to the capital, or to those only, who by their education, were enabled to estimate the full extent of his merits; but diffusing itself throughout the provinces to persons of every rank and condition; each individual commemorated his virtues and united in the general strain of eulogy and commendation; even at the present day, although the great interest, which then agitated the minds of men, have subsided, his name is pronounced with affection and reverence; and to be the "countryman of Franklin," yet remains throughout all France, a title of most honourable distinction, and one which affords to our citizens who visit that country, a sure tribute of respect and hospitality.

In reviewing this part of his history, which, independent of its political interests, is indeed, one of the most pleasing and interesting of his life, we ought not to pass unheeded the honourable notice which many of the French writers have left concerning him. The following remarks relating to the outset

of his career, by M. Biot, an eminent member of the French Institute, deserve especially to be recorded. These we copy from the life of Franklin by Mr. Walsh, a work to which we are indebted for many of the illustrations which we have inserted in the course of this narrative.

"The personal celebrity of Franklin, as Condorcet has judiciously observed, was the only succedaneum which the Americans had to offer for the titles and trappings common to European ambassadors. The discoveries which had won for him, in 1771, the high distinction of foreign associate of the Academy of Sciences, brought him into endearing relations with the most illustrious members of that body. One of them, the duke de la Rochefoucault, who formed a personal acquaintance with him in London, in 1769, had entered into a correspondence with him, which was rendered close and permanent by a rare coincidence of noble and virtuous sentiments. Franklin thus found himself, from the moment of his arrival, introduced, and at home, among those who held the first rank in society; and that at a period when the *esprit de societé* was every thing in France. He appeared in the guize not of a zealot for innovation, but of a sober friend to liberty, at a season in which the word liberty, not yet linked with the most hateful recollections, thrilled delici-

ously through every heart. We were not slow in remarking—in admiring his caution; his patient firmness; his moderation; that incomparable alliance in his mind of the utmost solidity of judgment, with delicacy and vivacity of wit. We were smitten with his noble figure, which his fine gray locks rendered still more venerable, and even with his outlandish air, so sure to take in France. Adapting his outward behaviour to the actual, depressed fortunes of his country, he was, on his arrival, grave and reserved, like a man engrossed with high interests and formidable dangers; he spoke little in the beginning; still less when he saw the court of Versailles hesitate; but the little which he did utter was so happy in the turn, and profound in the sense, that it could not fail to make a universal and deep impression. If there was any thing of artifice about him, it consisted in increasing to the utmost his personal consideration, with a view to its more efficacious subservience to the interests of America."

Of the effects of his exterior appearance amongst the fashionable societies of Paris, he appears indeed to have been fully sensible, and has given himself a description of his person to a female correspondent, with much pleasantry. "Figure me in your mind," says he, "as jolly as formerly, and as strong and hearty, only a few years older; very plainly dress-

ed, wearing my thin gray straight hair, that peeps out under my only *coeffure*, a fine fur cap, which comes down my forehead almost to my spectacles. Think how this must appear among the powdered heads of Paris!" The same circumstances of his singular costume have been mentioned by many of the French writers; and there is scarcely any one of note, in politics or science, from whom some honourable testimony in favour of his character, might not be given; but having already transgressed our limits we must restrain our wishes on this subject.

Having stopped a few days in the south of England, where many of his ancient friends repaired to salute him, he proceeded on his voyage which was prosperous, and arrived on the 14th of September in the harbour of Philadelphia. During his passage he made experiments on the sea air; wrote a considerable treatise on "Improvements in Navigation:" one on the cause and cure of smoaking chimneys, and a third describing a stove for consuming all its own smoke. An extraordinary proof of the force of early habits and discipline, and of the zeal with which he had dedicated his thoughts to the interests of his fellow creatures. He was now broken down by the pressure of eighty years, and by the rage of an excrutiating disease, and yet reserved no portion of his time for indulgence or recreation,

but still continued, as in the activity and prime of life and vigour of health, to subserve the purposes of humanity.

The news of his arrival at Philadelphia, diffused every where an universal congratulation. It was announced by the ringing of bells, by bonfires, and discharge of artillery. He was attended at his landing by the members of congress, of the university, and by the principal citizens, who formed into processions, went out to meet him; and amidst their acclamations, was conducted to his dwelling. From public assemblies of every description, he then received the most affectionate addresses; all testifying their great joy at his return, and their veneration for his character: the voice of general Washington also, who in a public letter greeted his arrival with the same benevolent sentiments, was added to the general strain of eulogy and felicitation. By his particular friends and relations, he was embraced with the most cordial welcome; enjoying amongst them, as he expresses it, "peace and plenty, with all the pleasures of a friendly conversation, and liberty without which man loses half his value."

This scene of his life, which in many of his letters, he has described with a peculiar satisfaction, is highly interesting. It is in these domestic relations, that the generous qualities of men, and those

certainly which are most precious in the eye of heaven, are best discovered: it is here too, that they enjoy the most refined pleasures that is allotted to the condition of human nature. "I am now," says he, "in the bosom of my family, and find four new little prattlers, who cling about the knees of their grandpapa, and afford me great pleasure. I am surrounded by my friends, and have an affectionate, good daughter, and son-in-law to take care of me. I have got into my *niche*, a very good house which I built twenty-four years ago, and out of which I have been ever since kept by foreign employments."

He was not however, permitted, notwithstanding his long services, to pass away the evening of his life amidst these scenes of tranquillity and retirement. He was appointed very soon after his arrival, president of the commonwealth of Pennsylvania; an office which he occupied during the constitutional term of three years, and discharged its duties with a prudent and equitable administration. He was afterwards elected delegate to the federal convention of 1787, for organizing the constitution of the United States; and in the intricate discussions which arose on that subject he bore a very distinguished part, and his remarks and speeches, on this occasion, are of no inconsiderable interest; both as an evidence of his political sentiments, and as a lesson of instruction

on government; upon which his personal experience, his extensive reading and long observation of the policy of European states, had furnished him ample materials for reflection.

In the debates which arose concerning the organization of the legislature, he sustained, indeed, in common with many others of the convention, some peculiar and unsuccessful opinions. In his private economy, all useless ornaments and expenses, he had magnanimously rejected; and in the administration of a republic, was the avowed enemy of all luxury or ostentation. The doctrines, therefore, he especially insisted on, and which he illustrated with great force of argument and eloquence, were the right of equal suffrage and depression of public salaries; and above all the discouragement of ambition and avarice, which he considered as the great constitutional evils of all free states.

In the admiration, however, which he professed for pure republican institutions, he has given of them no illusory representations. No one has discussed with more freedom the common topics that have been urged against that species of government; which he very properly introduced as admonitions of caution, in laying the foundation of our liberty, and as incentives to that vigilance which is necessary in preserving it from profanation and ruin. It is

from a consciousness of their infirmity that men learn to watch over their health; and though they cannot prevent, they may at least retard the progress of its dissolution. "I am apprehensive," says he, "perhaps too apprehensive that the government of these states may, in future times end in a monarchy. But this catastrophe I think may be delayed, if in our proposed system we do not sow the seeds of contention, of faction and tumult, by making our posts of honour, places of profit." From the frequency with which he recurs to this subject, both in his private letters and public debates, we may perceive that he considered pecuniary influence, as an expedient of government, extremely dangerous; and that it could not be too vehemently reprobated by those who would promote the virtues and liberty of their country.

In the constitution as it was finally adopted, he not only concurred himself, but recommended to the other members an unanimous acquiescence. He became afterwards its most strenuous advocate, as may be seen from his correspondence with his friends in Europe, and from the various writings he has left in approbation of it. His "Comparison of the Ancient Jews and the Conduct of the Antifederalists," a paper written with great ingenuity and felicity of allusion, he concludes in the following manner,

which may sufficiently indicate how beneficial he supposed that system of government would prove to the glory and interests of his country. "I am not to be undertood to infer, that our general convention was divinely inspired, when it formed the new federal constitution; yet I can hardly conceive a transaction of such momentous importance to the welfare of millions now existing, and to exist in the posterity of a great nation, should be suffered to pass without being in some degree influenced, guided, and governed by that omnipotent, omnipresent, and benificent Ruler, in whom all inferior spirits live, and move, and have their being."

At the conclusion of his presidency, his great age, and especially his diseases, which had now reached a dangerous aggravation, admonished him to withdraw from the scene of public business; and the short remnant of his days he consigned to retirement. He did not, however, disengage him altogether from political concerns; nor did he look back, when standing upon the confines of another world, without a generous concern upon that community for which he had employed the energies and cares of his life. Several of his writings tending to promote useful institutions and the general interests of humanity, bear date at this period, and when entirely disabled from going abroad, by his infirmities, the

various societies, of which he was president; the *Philosophical Society;* that for *Political Enquiries;* for *Alleviating the Miseries of Public Prisons,* and for *Promoting the Abolition of Slavery,* held their meetings at his house to enjoy the benefit of his counsel and co-operation in their proceedings.

When the violence of his diseases had confined him, in 1790, altogether to his bed, he still employed the intervals, which the remission of his acute pains allowed him, in conversation, or epistolary correspondence; and from his letters and other writings of this period, it is sufficiently apparent that in destroying his corporal faculties, time had made no hostile impression upon his mind; either in impairing the vigour of his judgment, or humbling the flights of his imagination. His "*African Speech*" which he wrote and published towards the end of March of this year, whether we consider its excellent composition, inimitable humour, or force of reasoning, is scarcely surpassed by the most perfect of his early writings; nor had the spirit and animation of youth, perhaps, added any thing to the warmth of sentiment, or exuberance of fancy, which prevails in his latter correspondence. Of this, the following passages written but a few days before his decease, to a friend in England, may be a sufficient evidence. "Your letter reminds me of the many happy days

we have passed together, and the dear friends with whom we passed them; some of whom, alas! have left us; and we must regret their loss, although our Hawkesworth has become an adventurer in more happy regions; and our Stanley (the musician) is gone where only his own harmony can be exceeded. I hardly know which to admire most; the wonderful discoveries made by Herschel, or the indefatigable ingenuity by which he has been enabled to make them. Let us hope, my friend, that when free from these bodily embarrassments, we may roam together through some of the systems he has explored, conducted by some of our old companions, already acquainted with them. Hawkesworth will enliven our progress with his cheerful sensible converse, and Stanly accompany the music of the spheres."

For the manner in which he bore his sufferings, and the aspect in which he viewed his approaching dissolution, we also refer to this interesting correspondence. "You kindly inquire after my health," says he in a letter to his favourite niece; "I have not much reason to boast of it. People that will live a long life, and drink to the bottom of the cup, must expect to meet with some of the dregs. However, when I consider how many terrible diseases the human body is liable to, I think myself well off that I have only three incurable ones, the gout, the

stone, and old age. And these, notwithstanding, I enjoy many comfortable intervals, in which I forget all my ills, and amuse myself in reading or writing, and telling many stories, as when you first knew me, a young man about fifty."—"I have now grown so old as to have buried most of the friends of my youth. By living twelve years beyond David's period, I seem to have intruded myself into the company of posterity. Yet had I gone at seventy, it would have cut off twelve of the most active years of my life, employed too, in matters of the greatest importance; but whether I have been doing good or mischief is for time to discover."

When he had approached to the very close of his life, he reasoned thus coolly with a friend: "Death is as necessary to the constitution as sleep: we shall rise refreshed in the morning. The course of nature must soon put a period to my present mode of existence. This I shall submit to with the less regret, as, having seen, during a long life, a good deal of this world, I feel a growing curiosity to become acquainted with some other; and can cheerfully, with filial confidence, resign my spirit to the conduct of that great and good Parent of mankind, who created it, and who has so graciously protected and preserved me from my birth to the present hour."

On the 17th of April 1790, in the eighty-fourth year of his age, he expired in the city of Philadelphia; encountering this last solemn conflict, with the same philosophical tranquillity and pious resignation to the will of Heaven, which had distinguished him through all the various events of his life. In his will, he enjoined that all pomp or ostentation should be avoided in the celebration of his obsequies; that no monumental ornaments should be lavished on his tomb: the former of which injunctions his cotemporaries appear, however, to have disregarded, for he was buried with great concourse and ceremony; but the latter has yet been observed by their descendants with an inviolable fidelity.

He was interred, on the 21st of April, and congress ordered a general mourning for him throughout America, of one month. In France, the expression of public grief, was scarcely less enthusiastic. There the event was solemnized, under the direction of the municipality of Paris, by funeral orations; and the National Assembly, his death being announced in a very eloquent and pathetic discourse, decreed that each of the members should wear mourning for three days, "in commemoration of the event;" and that a letter of condolence, for the irreparable loss they had sustained, should be directed to the American Congress.—Honours extremely glorious to his

memory, and such, it has been remarked, as were never before paid by any public body of one nation to the citizen of another.

He lies buried in the north-west corner of Christ Church-yard; distinguished from the surrounding dead, by the humility of his sepulchre. He is covered by a small marble slab, on a level with the surface of the earth, and bearing the single inscription of his name, with that of his wife. A monument sufficiently corresponding to the plainness of his manners, little suitable to the splendor of his virtues, and perhaps not very honourable to the gratitude of his countrymen:—But what inscription can record the merits of Franklin, or what monument express the obligations of his posterity!

He had two children, a son and a daughter, and several grand-children who survived him. The son, who had been governor of New Jersey under the British government, adhered during the revolution to the royal party and spent the remainder of his life in England. The daughter married Mr. Bache of Philadelphia, whose descendants yet reside in that city.

Franklin enjoyed, during the greater part of his life, a healthy constitution, and excelled in exercises of strength and activity. In stature he was above the middle size; manly, athletic and well proportion-

ed. His countenance, as it is represented in his portrait, is distinguished by an air of serenity and satisfaction; the natural consequence of a vigorous temperament, of strength of mind, and conscious integrity: It is also marked, in visible characters, by deep thought and inflexible resolution. Very rarely shall we see a combination of features, of more agreeable harmony; an aspect in which the human passions are more happily blended, or more favourably modified, to command authority, to conciliate esteem, or to excite love and veneration.

His colloquial accomplishments are mentioned by those who knew him, in terms of the highest praise. From the great diversity of life which he experienced, from his extensive intercourse with the world, he had stored his memory with a variety of knowledge extremely curious and interesting; and besides the diffusion of thought and sentiment with which he animated his discourse, it was enlivened, in his peculiar manner, by ingenious illustrations, pointed sentences and aphorisms, and mostly seasoned by a vein of good humour and pleasantry, which he appears to have carried even into his most important and serious transactions; and which, in all societies, amongst the sprightly and morose, the old and young, learned and illiterate, recommended him to peculiar favour and attention.

The experiments which he made in science, amidst the continued intrusion of business, on objects too, which seemed to require a long life of labour and reflection; which had occupied men of the brightest genius and capacity, enjoying besides the most transcendant advantages of education, must afford an ample testimony of the vigour of his intellects and grandeur of his conceptions. Nor can we doubt, from what he has achieved, had he possessed from early youth, leisure to prosecute his studies without interruption, and to improve his understanding to the proportion of his natural abilities, that he had attained the ultimate dignity of letters, and have disputed, perhaps, with the old world the palm of philosophy and science.

Of his domestic manners and private life, which are considered as the truest test of the value of the human character, there exists the most unequivocal and honourable testimonies. The correspondence of his family and relations abounds with the tenderest expressions of regard for him. Of his intimate acquaintance, those who loved him in his youth, were the companions and friends of his old age; and those who have survived him, retain an undiminished affection and veneration for his memory.

He bore adversity with courage, patience and dignity; and prosperous fortune with the most com-

mendable moderation. Amidst the splendours of monarchy, where he spent a great portion of his life, and in all his intercourse with the fashionable world, he retained the simplicity of his dress and manners; discovering in no instance any solicitude to conceal the obscurity of his origin. On the contrary, he inquired, whilst in England, into the history of his relations, with a laudable piety; visiting the remote place of their nativity for that purpose. To his parents, also, while they lived, he showed the most dutiful regard, and after their decease, he erected a tomb upon their ashes, and paid every decent tribute to their memory. These incidents are not the less worthy of commemoration, as they are unusual with those who, from humble life, have emerged into dignity and preeminence.

The necessities of his early life; the perpetual struggles which he maintained to improve his fortune and to procure the means of subsistence, had given him habits of severe and patient economy; and observing the multitude of evils which arise from negligence in domestic management, he endeavoured in his writings, to inculcate amongst the people precepts of order and frugality, and dwelt upon this subject with a frequency of repetition and a fervour, that will scarcely be discovered in the speculations of any other writer; but as, from the ignorance

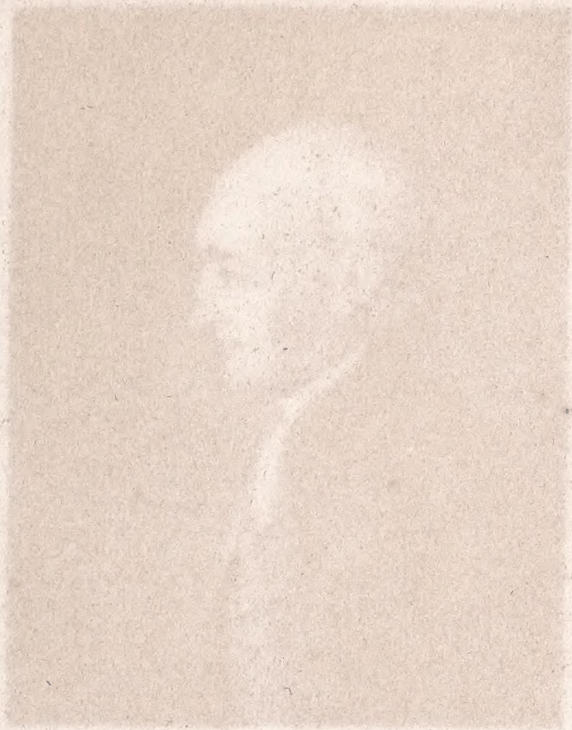
and malignity of the world, discretion, which is the perfection of human reason, is often ascribed to insidiousness or cunning; so economy, which is the very source of generosity, is sometimes imputed to meanness or avarice.—The deep concern, however, which on all occasions he manifested for the interests of the poor, who constitute so considerable a portion of mankind, we may use as an evidence, and perhaps the strongest that could be adduced, of the beneficence and generosity of his nature. We might also, in illustration of this part of his character, refer to the charitable appropriations of his last will, and to many individual acts of humanity extremely honourable to his memory; to the many useful political and literary institutions, and benevolent societies, which he founded, and which grew into importance under his munificent protection. Kings and princes had cheerfully contributed to his estate, had he consented to receive their benefactions, and preserve the reputation of a loyal subject, rather than hazard, not only his hard earned fortune, but his life in the dangers of an almost impracticable revolution.

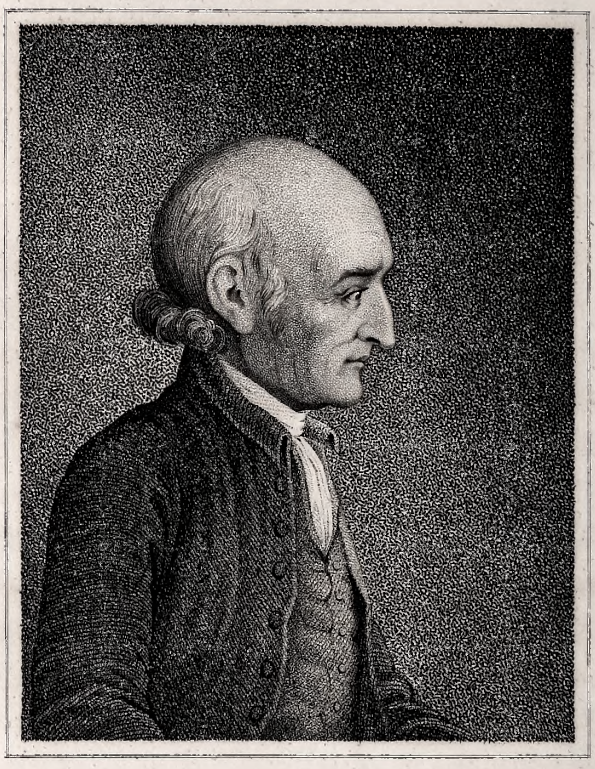
On the other hand there is not perhaps the same reason to commend the liberality of his countrymen. During the season of his utility he received indeed many endearing testimonies of regard; but it must be held also in remembrance, that the eminent ser-

vices of a man, who is indeed the great glory of this continent, received during his life no essential remuneration, and that no adequate honours have since his death, been paid to his memory.

In a full exposition of his character, we should necessarily have detailed the other great qualities by which he was so variously distinguished, his sobriety, temperance, extraordinary perseverance and resolution; his devotion to his country, candour, intrepidity and placability in resentment; his scrupulous veracity, constancy in friendship, and his fidelity to all other civil and moral obligations; but this variety of excellence is so directly inferred from the incidents of his life, and so implied in a knowledge of his writings, that a more particular notice might seem superfluous and impertinent. The more secret and minute peculiarities, of his character, can be recorded only by those whom a personal intimacy has enabled to observe them; and his imperfections are so lost in a life of virtuous and glorious occupation, that we must leave the care of detailing them, to those who have more leisure and sagacity for the investigation.

GEORGE WYTHE.





GEORGE WYTHE.

Drawn and Engraved, by J. B. Longacre, from a Portrait

in the American Cleaner.

WYTHE.

THE following account of Mr. Wythe is much less circumstantial than is required by the dignity of the subject. The most important actions of his public life, are so blended with the general history of the country, and his name so conjoined with the other patriots of the revolution, as to admit very little distinct or particular detail. Of his private and domestic transactions, he has left himself no remembrance, and his friends, by whose aid we hoped to supply the deficiency, appear to have postponed this principal object, to indulge in expressions of affection for his memory, and have furnished us rather a panegyric than a history of his life. We shall endeavour, however, from the few materials within our reach, to exhibit such a general view of his character as, we hope, will not be unacceptable to our readers.

George Wythe was born in the year 1726, in the county of Elizabeth City on the shores of the Chesapeake, in the then colony of Virginia. He was descended from a respectable family, and inherited from his father, who was a farmer, an estate amply sufficient for all the purposes of ease and independence. His mother was a woman of great strength of mind, and of singular learning; amongst other acquirements she possessed an accurate knowledge of the Latin language, and under her tuition he received the rudiments of his education.

The instructions which he received at school, by some unaccountable negligence, were extremely limited; being confined to mere reading and writing the English language, with a very superficial knowledge of arithmetic. But his powerful mind, exerting its own efforts, soon supplied his defect of scholastic education; for, with the sole assistance afforded by his mother, he became one of the most accomplished Latin and Greek scholars of his country; and by his unaided exertions attained a very honourable proficiency in other branches of learning. To grammar, rhetoric and logic, which he is said to have studied with great success, he added, at an early age, an extensive acquaintance with civil law; a profound knowledge of mathematics, as well as of natural and moral philosophy.

Of these various attainments, so honourable to his industry and genius, much of the merit, no doubt very justly, is ascribed to the affectionate and tender zeal of his mother: it is related that she not only taught him the Latin, but assisted also his acquisition of the Greek, though altogether unacquainted with that language; uniting for this purpose, in his studies, and by inspecting an English version of the works which he read, enabling herself to aid his progress and to ascertain the accuracy of his translations.

Of this excellent mother, he was bereaved during his minority. He lost also, near the same time, his father, of whom there is given a very amiable character, for simplicity and candour of behaviour, parental tenderness, and for prudence in the management of his fortune. Being thus in the possession of money and exposed, in the luxuriance of youthful passions, to the seductions of pleasure, he suspended during several years, all useful study, and spent his whole time in idle amusements and dissipation. But to whatever levities he may have been betrayed, it is evident from the subsequent events of his life, that his principles of honour remained uncorrupted. When he had attained his thirtieth year, he shook off all these youthful follies and employed himself in the most indefatigable study; and from this period

till the close of his life, protracted to the length of eighty years, lived in the practice of the most rigid and inflexible virtue.

To his friends he often expressed the deepest regret that so many years of time had thus been irretrievably lost to him; and when we reflect on the many splendid monuments of his wisdom, and patriotic devotion to the best interest of his country, which have given him an imperishable name in her records, an instructive lesson may be drawn from his generous repentance. No man ever stood higher in the estimation of his countrymen; and no one better merited this distinction; yet after fifty years had been spent in the exercise of all that is noble in man, the venerable patriot still sighed over the short period of youthful aberration, as so much valuable time unemployed in conferring benefits on his country and on mankind.

He studied the profession of the law under the direction of Mr. John Lewis, an eminent practitioner; and at an early period was called to the bar of the general court, then filled by men of great eminence and ability in their profession. For a short time he continued their equal, but by reason of his extensive learning, correctness of elocution, and his logical style of argument, he quickly arrived at the head of the bar.

As a lawyer, the character of Wythe bears the severest scrutiny. In his hands the dignity of the profession was never prostrated to the support of an unjust cause: in this he was so scrupulous, that where doubts were entertained of the truth of his clients' statements, he even required the solemnity of an oath previous to his defence; and if deception was in any manner practised upon him, the fee was returned, and the cause abandoned. Such disinterestedness procured him universal esteem; and as he was no less distinguished by correctness and purity of conduct in his profession, than by his great learning, and his industry and fidelity to those who employed him, promotion succeeded confidence, and on the organization of the new government, he was invested with the most considerable judicial rank which his country could bestow upon him. As chancellor of Virginia, he continued to dispense the most exact justice until the day of his death.

Early in life he was elected to represent his native county in the house of burgesses; of which he continued a member until the dawn of the revolution. His cotemporaries in the house, were men of the highest standing in Virginia for rank and talent; and in the memorable year of 1764, when the resolutions of the British parliament preparatory to the passage of the stamp act, were communicated to

the house of burgesses, he found himself called upon to act with such worthies as Robert C. Nicholas, Edmond Pendleton, Richard Bland, Peyton Randolph, Richard Henry Lee and Benjamin Harrison. And his holding a prominent station amongst these most celebrated names of our country, is no equivocal evidence of his abilities and merits.

On the 14th of November 1764, he was appointed a member of a committee of the house of burgesses to prepare and report a petition to the king; a memorial to the house of lords, and a remonstrance to the House of commons, on the subject of the proposed stamp act. The latter paper was drawn up by Wythe, and following his own principles, his language was that of boldness and truth; going far beyond the timid hesitations of his colleagues, who viewed it as bordering on treason, consequently his draft was subjected to many material modifications. These documents were reported on the 18th of December, and after much warm debate and considerable amendments tending to soften the asperity of complaint, received the concurrence of council.

From the general tenor of these papers, it is obvious that revolutionary opposition to the regal government, was not then intended. For, although the rights of the colony, so far as they respected exemption from taxation, except by her own repre-

sentatives, are firmly set forth and insisted on; yet the language is supplicatory, and the miseries about to be inflicted on an impoverished community by the excessive weight of the projected law, are feelingly anticipated. Remonstrance alone was intended, and the colonies looked with anxiety to the parent country for favourable replies to most dutiful petitions; but remonstrance was ineffectual, and in January 1765, the stamp act was passed, to have operation from the first of November following. The promulgation of this law, soon diffused a spirit of discontent and opposition through America, and brought the abilities of her patriots and heroes into more conspicuous notice.

In Virginia the house of burgesses had received an extraordinary acquisition in the person of one of its young members, the celebrated Patrick Henry; who, from comparative obscurity, was ultimately thrice raised to the highest dignity of the commonwealth, by the unanimous voice of his countrymen. Henry was one of the most fascinating orators of modern times: his patriotism like that of most of his associates in public life, was of the purest kind; and in consequence of his great exertions in the house of burgesses; by the marked intrepidity of his conduct; by the fire of his matchless eloquence, the

American revolution presented its first determined front, in the boldest opposition, to the hateful law.

A few days previous to the close of the session, in May 1765, the following resolutions were offered to the consideration of the house by Mr. Henry.

"Resolved.—That the first adventurers and settlers of this, his majesty's colony and dominion, brought with them, and transmitted to their posterity, and all other his majesty's subjects, since inhabiting in this his majesty's said colony, all the privileges, franchises, and immunities, that have at any time been held, enjoyed and possessed, by the people of Great Britain.

"That by two royal charters granted by king James the first, the colonists aforesaid are declared entitled to all the privileges and immunities of denizens and natural born subjects to all intents and purposes, as if they had been abiding and born within the realm of England.

"That the taxation of the people by themselves, or by persons chosen by themselves to represent them, who can only know what taxes the people are able to bear, and the easiest mode of raising them, is the distinguishing characteristic of British freedom, and without which the ancient constitution cannot subsist.

"That his majesty's liege people of this most ancient colony, have uninterruptedly enjoyed the right

of being thus governed by their own assembly in the article of their taxes and internal police; and that the same hath never been forfeited, or any other way given up, but hath been constantly recognized by the king and people of Great Britain.

"Resolved therefore, that the general assembly of this colony have the sole right and power to lay taxes and impositions upon the inhabitants of this colony: and that any attempt to vest such power in any person or persons whatsoever, other than the general assembly aforesaid, has a manifest tendency to destroy British as well as American freedom."

These resolutions created an extraordinary alarm in the house, and the most violent debates ensued. Not only were they opposed by the advocates of the measures of the royal government, and by the aristocracy of the state, but even some of the warmest friends of American independence endeavoured to prevent their adoption. Among the latter we find Nicholas, Pendleton, Randolph, Bland and Wythe, who had long been the habitual leaders of the house. Their opposition was, however, not founded on any difference of principle, but because the petition, memorial and remonstrance of the preceding session, had already expressed the same sentiments, and made the same assertions of right; and answers to those documents were yet to be expected. Notwith-

standing the daring language of the resolutions; the opposition of the ministerial party in the house; and the dread of the best friends of our liberties, of plunging the colony unprepared, feeble, and without defence, into hostility with Great Britain, the bold and sublime eloquence of Henry achieved a victory. The resolutions were all adopted after some immaterial alterations in each of them; but the fifth, and strongest, was passed by a majority of a single vote. Henry did not attend the sitting of the following day, and then, the alarm of a majority of burgesses, caused them by a timid vote to expunge the fifth resolution from the journals.

The repeal of the stamp act in 1766, in a great degree revived the affection of the colonists for the mother country; but the subsequent passage of the statute, commonly termed the glass, paper and tea act; the statute restricting the powers of the New York legislature; and the statute erecting courts of vice admiralty on new models, soon afterwards excited anew their apprehensions and inflamed their discontents; and during the session of 1768, Wythe was a member of the house of burgesses, in which he held a prominent station, when the famous resolutions were adopted by which Virginia asserted in determined language her exclusive right of taxation in all cases whatsoever; complained of the violation of the

British constitution by recent acts of parliament; and firmly remonstrated against the oppression of holding trials in England, on persons, for offences committed in the colonies.

These resolutions breathing the full spirit of patriotism, were hurried through the house without regard to the established form of parliamentary proceedings, lest the assembly should be dissolved by the governor on the first intimation which he might receive of their proposed acts. In fact, lord Bottetourt heard of the resolutions late in the evening; in vain endeavoured to procure a copy of them from the clerk, and on the next day dissolved the house of burgesses; but not until the records were entered on the journals: the members having very early in the morning convened for that purpose, in correct anticipation of their immediate dispersion.

The resolution of the house, did not produce any effect favourable to the royal cause. The same members, without any exception were returned, and the spirit of resistance, increased in strength. Wythe, as a member of the house, was bold and determined in the position he had taken. On the one hand, the liberties of his country were threatened; and on the other, his character, nay, his life itself was placed in danger. But no human consideration was equivalent to his love of liberty and fidelity to his coun-

try. He stood on the solid ground, that the only link of political union between the colonies and Great Britain, was the identity of the executive: that the parent country and its parliament, had no more authority over the colonies, than the colonies over them: and that the colonies were co-ordinate nations with Great Britain and Hanover.

Thomas Jefferson had been the pupil of Wythe, and under his auspices was introduced to the bar. The sentiments of the friend and counsellor, which were instilled by instruction and example, were exhibited to the world in the "Summary View of the rights of British America;" and now in the same venerable public body, the preceptor and pupil stood forth as vindicators of the rights and privileges of their injured countrymen, and as undeviating advocates of that system of government which has since been so happily established.

From this time until the years 1775, Wythe continued his unabated exertions in favour of independence. On the first rising of the colonists, he joined a corps of volunteers, and evinced his promptness to support the cause which he had advocated in the senate, by a resort to arms in the field. But his country, at this important period, required the united talents of her ablest statesmen; and in August 1775, he was appointed one of the delegates from his na-

tive state, to that congress, which in the succeeding year, declared the Independence of America.

In consequence of this great change in the form of government, and in order to strengthen and confirm the principles of the revolution, the house of assembly of Virginia, by a resolution of the fifth of November 1776, appointed Thomas Jefferson, Edmond Pendleton, George Wythe, George Mason and Thomas Ludwell Lee, a committee to revise the laws of the state, as well of British as of colonial enactment, and to prepare bills for re-enacting them, with such alterations as the change in the form and principles of the government, and other circumstances required. The two last named gentlemen did not act with the committee, owing to the death of one, and the resignation of the other; but so industrious were Jefferson, Pendleton and Wythe, in this great work of legislation, that on the 18th of June, 1779, one hundred and twenty-six bills were prepared and reported to the general assembly.

The common law of England is preserved as the basis of the revised code. To use the language of one of the committee,* the most remarkable alterations proposed, were,

"To change the rules of descent, so as that the lands of any person dying intestate, shall be divisible

* Jefferson's Notes on Virginia.

equally among all his children, or other representatives, in equal degree.

"To make slaves distributable among the next of-kin, as other moveables.

"To have all public expenses, whether of the general treasury, or of a parish or county (as for the maintenance of the poor, building bridges, court houses, &c.) supplied by assessments on the citizens in proportion to their property.

"To hire undertakers, for keeping the public roads in repair, and indemnify individuals through whose lands new roads shall be opened.

"To define with precision, the rules whereby aliens should become citizens, and citizens make themselves aliens.

"To establish religious freedom on the broadest bottom.

"To emancipate all slaves born after passing the act.

"To proportion crimes and punishments according to a scale submitted.

"To abolish pardon and privilege of clergy, but if the verdict be against the defendant, the court in their discretion may allow a new trial.

"No attainder to cause a corruption of blood or forfeiture of dower.

"Slaves guilty of offences punishable in others by labour, to be transported to Africa, or elsewhere as the circumstances of the time admit, there to be continued in slavery.

"A rigorous regimen proposed for those condemned to labour.

"To diffuse knowledge more generally through the mass of the people by means of public schools.

"To establish a public library and gallery, by laying out a certain sum annually in books, paintings and statues."

Of this extensive work of legislation, Wythe executed the revision of those laws which had been enacted during the period commencing with the revolution in England, and ending with the establishment of the new government here, except the acts for regulating descents; for religious freedom; and for proportioning crimes and punishments, which were part of the labours of Mr. Jefferson.

In 1777, the distinguished learning of Wythe in parliamentary law, and proceedings, caused him to be chosen speaker of the house of delegates; towards the close of the same year, he was appointed one of the three judges of the high court of chancery of Virginia: and on the subsequent change in the organization of the court of equity, was constituted

sole chancellor; which high station he filled with the strictest integrity for more than twenty years. Whilst in this office he published a collection of Chancery reports, which, by legal characters, are held in high estimation.

Previous to, and during the revolution, debts had been contracted between British and American merchants, and other individuals. The recovery of those debts was made the subject of the sixth article of Jay's treaty with Great Britain; but popular feeling was strong against legal decrees in favour of British claimants. Chancellor Wythe was the first judge who decided that the claims were recoverable, and such decision was given in cases where the state of Virginia was a party. The firmness of the judge, in resisting the torrent of popular prejudice, is not the less to be commended because mere duty was performed; a new and important question had arisen—the complainant was an alien, a late enemy; the respondent was a commonwealth; the judge an officer of the respondent's creating; the current of opinion set against the legality of the claim, and a nation awaited the decision of the court of equity.

On reviewing the judicial character of Wythe, we find it deeply impressed with the most scrupulous impartiality—rigid justice; unremitting assiduity; and the most pure disinterestedness. It may appear

a strange encomium to bestow upon a judge, that his interest did not in the least degree lead him to swerve from his duty: yet when such men have lived as Verulam,

"The greatest, wisest, meanest of mankind,"

and Macclesfield, whose corruption was systematically exercised: since a chief justice Thorpe could traffic with a suiter's rights: since an Earl of Middlesex could delay justice, in a matter referred to his decision by his king; it is not incorrect to place chancellor Wythe in dignified opposition: not to praise indeed that conduct which resulted from adherence to duty, but to hold him up to the world as an example of republican integrity. Bacon died despised and unpitied; Parker lost his estate, and languished in imprisonment; Thorpe was sentenced to death; and the most exemplary punishment was inflicted by James I. on the commissioner who was tardy in executing his trust. George Wythe, living, was the fountain of justice—dead, his spotless integrity has erected him a durable monument in the memory of his countrymen.

Wythe had suffered much during the revolution in his pecuniary circumstances. Not only did he devote his time and property to the public service, but the greater part of his slaves which he inherited

from his father, was carried over to the enemy by the dishonest manager of his Hampton estate. His immediate relatives, however, benefitted during his life by his generosity. One half of his estate in Elizabeth City he settled on his nephew, and of the remaining part, being sold, the payment of the purchase money was protracted during many years. Thus his resources were limited, and although his salary as chancellor did not exceed three hundred pounds per annum, by economy and judicious management, he discharged his debts, preserved his independence, and was enabled, besides, to perform many conspicuous and estimable actions of private charity. The professorship of law, in the college of William and Mary, for some time gave him an additional income; but the arduous duties of chancellor induced him, on his removal to the city of Richmond, to vacate the chair.

In December 1786, he was selected by the legislature, together with Washington, Henry, Randolph, Blair, Madison and Mason, as delegates to meet the proposed convention, to revise the federal constitution. His country never losing sight of his distinguished patriotism and abilities, when occasion required his services, we again find him a conspicuous member of the great public body assembled at Richmond, in 1778, to take into view the adoption or

rejection of the lately framed constitution of the United States. Subsequently, he was twice a member of the presidential electoral college of Virginia, and presided with great distinction and applause over its meetings.

Amidst all his public services, throughout all his private life, the devotion of Wythe to his country, his scrupulous discharge of the duties of his office, and his universal benevolence of disposition, were eminently apparent. Some of the greatest luminaries at the bar, and in the senate, that Virginia has produced, were instructed in science and led up the steep of Fame by George Wythe. In the list of his pupils we may enumerate two presidents of the United States, a chief justice, and others, who by their abilities and virtues are entitled to the most distinguished honours of their country. Not confining his efforts to those situations in which duty impelled him to exercise the great faculties of his mind for the public advantage, his active philanthropy induced him to institute a private school, in which his great pleasure was to impart instruction to such young persons as wished for improvement: demanding no compensation—his reward was found in virtuously educating republican citizens, who would transmit to posterity the pure principles of the venerable sage and statesman.

In emancipating his slaves, Wythe did not cast them on the world friendless and needy; he gave them sufficient to free them from want, and his own example had taught them industrious habits. He had also carried his benevolent disposition to the extent of imparting instruction to a negro boy, whom he had taught the Latin and Greek languages, and who was considerably advanced in science, but unfortunately died a few days before his benefactor.

An unassuming modesty, a simplicity of manners, and a general equanimity of temper, were his distinguishing personal characteristics throughout life. To the possession of these qualities may be referred the cause of his religious opinions being unknown. Immersed in public business, his time devoted to his country, and the energies of his mind directed to her best interests, Wythe sought not in private conversation to disclose his own belief, or to elicit that of others. It was his daily endeavour to live a christian, and he effectually succeeded. One of his most intimate friends* who pronounced his funeral eulogium, and who feelingly describes himself as an "unfortunate orphan," who found in Wythe "a second father, instructor and friend," rescues the character of his "dear and noble benefactor," from the charge of infidelity. "He conveyed to me," says he,

*William Munford, Esq.

"a year or two before his death, his full conviction of the truth of the christian religion; and on his death-bed, often prayed to Jesus Christ his Saviour, for relief."

His long life of Public usefulness was closed, in exhibiting an additional proof of fervent devotion to the interests of the community. Tortured on the bed of death, with agonies produced by poison taken in some portion of his aliment, he was immersed in the study of cases, yet pending in his court; regretting as long as his senses continued, the delay and consequent expense which would be incurred by the parties, should his illness prove fatal. He died in the midst of this benevolent anxiety, on the 8th of June, 1806, in the eighty-first year of his age.

In his death, Virginia mourned one of her most favoured sons; but the cause of his sudden loss spread an additional gloom over the darkness of her grief. No doubt remained of his death being produced by violence, and suspicion fell upon one, who if guilty, would have added the blackest ingratitude, to the most detestable of crimes.

By his last will he bequeaths a great part of his property in trust, to support his three freed negroes, a woman, a man and a boy, during their lives; after several legacies, particularly one, "of his books and philosophical apparatus, to his valued friend

Thomas Jefferson, president of the United States," the remainder of his estate is devised to George Wythe Sweney, the grandson of his sister.

During the life time of Wythe, his freedman died, and by a codicil to the will, the legacy to the freed-boy is increased, with a provision, that if he should die before his full age, the bequest to him should enure to the benefit of Sweney, the residuary legatee.

A few days before the death of Wythe, a second codicil is dated; in this instrument the freed-boy is mentioned as having "died this morning:"—all the devises to George Wythe Sweney are revoked, and the whole of the Chancellor's estate is left to the other grandchildren of his sister, the brothers and sisters of Sweney, to be equally divided between them.

The sudden death of the negro boy; the revocation of the former devises; the suspicions of the community, fatally confirmed by the death of Wythe himself, all tend to the conclusion that poison was introduced amongst the provisions of the household. The residuary legatee of the first will, submitted to a public trial, on the charge of poisoning his uncle and freed-boy: an aquittal by a jury has caused a veil to be dropped over the transaction revolting to humanity; and the solemn decision of a criminal court, has shown to the world, that although the lamented

Wythe died by poison, yet legal certainty cannot be attached to his murderer.

He had been twice married; his first wife was the daughter of Mr. Lewis, with whom he had studied law; and his second was a lady of the wealthy and respectable family of Taliafero, residing near Williamsburg. He had one child which died in infancy, and no issue survived him.

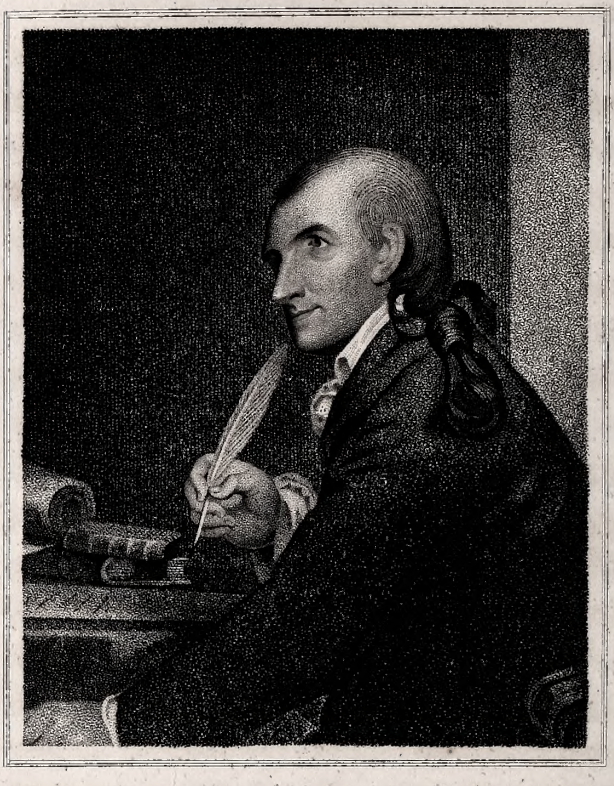
Mr Jefferson, to whom we are indebted for some of the facts of the preceding narrative, has thus drawn the portrait of the instructor of his youth, the friend of his age, and his compatriot through life.

"No man ever left behind him a character more venerated than George Wythe. His virtue was of the purest kind; his integrity inflexible and his justice exact; of warm patriotism, and devoted as he was to liberty, and the natural and equal rights of men, he might truly be called the Cato of his country, without the avarice of the Roman; for a more disinterested person never lived. Temperance and regularity in all his habits, gave him general good health, and his unaffected modesty and suavity of manners endeared him to every one. He was of easy elocution, his language chaste, methodical in the arrangement of his matter, learned and logical in the use of it, and of great urbanity in debate. Not quick of apprehension, but with a little time,

profound in penetration, and sound in conclusion. In his philosophy he was firm, and neither troubling, nor perhaps trusting any one with his religious creed, he left to the world the conclusion that that religion must be good which could produce a life of such exemplary virtue.

"His stature was of the middle size, well formed and proportioned, and the features of his face, manly, comly and engaging. Such was George Wythe, the honour of his own, and model of future times."

FRANCIS HOPKINSON.



FRANCIS HOPKINSON.

Engraved, by J.B. Longacre, and J.H. Nesmith, from a Picture by Pine.

HOPKINSON.

Francis Hopkinson was born in Philadelphia in the year 1737. He was the son of Thomas Hopkinson, an English gentleman of respectable family and character; who, emigrating from Great Britain to her colonies in North America, took up his permanent residence in that city, where he is said to have filled some honourable and lucrative employments under the government of his native country; obtained, partly by the influence of his own family, and in all probability, still more by the influence of his matrimonial connections, he having but a short time before his departure from England intermarried with Miss Johnson, a niece of a high dignitary of the church of England, the bishop of Worcester. Those employments, whatever they were, he appears, from the oral tradition of the day, as well as

from the standing maintained in society by those relations he left behind him, to have discharged in a manner highly creditable to his reputation, as a moral man and a gentleman, and not without some conspicuity as a person of science: His career was bright but unfortunately short; for he was cut off in the prime of life, leaving the society of which he had for a considerable time been the delight, to lament one of its most precious ornaments, and a beautiful and accomplished wife to deplore the loss of a husband of matchless excellence—her chief earthly stay—a solitary widow, embarrassed with the care of providing for, and the all-important duty of educating a large family, upon a comparatively limited income. How she acquitted herself of that awful responsibility, may be inferred from the character afterwards sustained by her offspring, and from the exemplary moral and religious sense which has been observed essentially to pervade the writings and intellectual effusions of her descendants, and particularly of the subject now before us, who was only fourteen years of age at the time of his father's death.

That Mr. Thomas Hopkinson was a person of high qualities and superior intellectual endowments, may be rationally inferred from the rank which appears to have been assigned to him in the world of

science, by the periodical publications of the day in which he lived: To be coupled with Benjamin Franklin, or identified with him in any philosophical transaction, implied a general opinion that he stood upon elevated ground, which he could never have attained without a strong and deep foundation of talent, erudition and general knowledge; and this conclusion was further confirmed by the personal friendship and intimate association which were observed to subsist between them. In the periodical publications here alluded to, and which still exist in the preservation of our public libraries, it is stated as an indisputable fact, that the remarkable experiment of attracting the electric fluid by means of a pointed instead of a blunt instrument, was first exhibited by Mr. Thomas Hopkinson to Doctor Franklin, in the presence of Mrs. Hopkinson—an incident which not only was mentioned in the cotemporaneous productions of the day, but subsequently was the subject of conversation in the domestic and social circle of that lady herself. At this time it is hardly necessary to particularize, that the consequence of that experiment and the success which followed it, was effectually to relieve the attraction from the severe explosion and shock which had before that discovery attended it.

Mrs. Hopkinson was esteemed a woman of more than common sagacity and penetration, and, naturally enough, was quick to discover those early indications of genius in her son which she fondly, but not vainly hoped would, in their full maturity, cast a lustre upon his life and perhaps confer honour upon his country. They were at all events sufficiently striking to warrant the sanguine expectations of a fond mother, to quicken her parental solicitude, and to animate her exertions for their maturation and improvement. Her son Francis was, of course, the first object of her hopes and cares;—the immediate representative of his father, and as she fondly expected, the inheritor of his peculiar talents, she resolved that nothing in her power should be wanting that could render him capable of unfolding them with advantage and success. To the aid of the boy's genius, and of the talents derived from his father, this exemplary matron brought every assistance that could be derived from her admirable precepts, enforced by her own excellent example, and relinquishing for this most sacred purpose, every enjoyment and every pursuit which was not recommended to her judgment by its direct tendency to the accomplishment of this her most delightful duty; she never suffered her attention to relax till, with his manners softened by the purest moral habits, and his virtues

fenced in from every attack, by a strict religious education, she transferred his literary education to the college of Philadelphia; afterwards the "University of Pennsylvania," in the first class of which he graduated, and from which he was removed to the study of the law, under an able professor of that science.

His attainments as a lawyer were very great, and could have only been acquired by studious application to the volumes of jurisprudence; but this did not prevent him from warm devotion to those lighter accomplishments, which a natural taste, peculiarly adapted to such things, induced him to cultivate; and while he stored his mind with the more grave and important knowledge necessary for advancing in his profession, he by no means neglected those embellishments which were better calculated, not only to gratify his own fancy, but to captivate the general circle of society. His talents ample, quick, and versatile, and his powers readily adaptable to the acquisition and digestion of any and every art and science, grasped with avidity whatever was presented to them, and made them their own; for it appears from the accounts given of him, by one of the most sagacious and discriminating of his cotemporaries,* who for the great part of his life was personally ac-

* Doctor Benjamin Rush

quainted with him, that "he excelled in music and poetry, and had some knowledge in painting. But that these arts did not monopolize all the powers of his mind; further he was well skilled in many practical and useful sciences, particularly mathematics and natural philosophy, and that he had a general acquaintance with the principles of anatomy, chemistry, and natural history. But his forte was humour and satire, in both of which he was not surpassed by Lucian, Swift or Rabelais. These extraordinary powers were consecrated to the advancement of the interests of patriotism, virtue and science."

In the year 1765 Mr. Hopkinson paid a visit to the land of his forefathers, where he remained for upwards of two years, dividing his time between his relations, alternately in the vast metropolis of London, and the delightful vales of Worcestershire, and on his return to America, about the year 1768, married Miss Ann Borden, of Bordentown, in the state of New Jersey; in consequence of which connection, the sphere of his domestic exertions and enjoyments was soon enlarged by the rapid increase of his family, in whom it was his care to instil the inestimable precepts which he had himself imbibed from the instruction and example of his venerable mother. In this state of patriarchal felicity, imparting happiness to his children and household, he

continued for a while, but was not permitted to remain long undisturbed; for in common with all the colonists, the serenity of his private life was invaded by the unjustifiable encroachments of the mother country; indignant at whose ungenerous and insulting acts of despotism, he summoned all the energies of his mind, and in the year 1774 commenced hostilities upon the common enemy in an ingenious production, entitled "A Pretty Story," in which, by a beautiful allegory, he represented some of the many grievances the colonies laboured under, previous to the revolution, and which shortly after occasioned their disunion from the empire. As this production was precisely adapted to the feelings of the times and contained statements of incontrovertible facts, conveyed in a pleasing and humorous form, it was sought after with avidity, and read with approbation by every class of the community. It would seem as if our author was aware that but a very inconsiderable portion of any people is capable of feeling, or exactly comprehending an insult or injury offered to the public at large, and a still more inconsiderable number who view it as a personal injury, and as such think it the duty of individuals to resent it; but that if the community is represented as an individual, it awakens sympathy and alarms to danger, because every man knows that he is liable to

the same oppression, and viewing it with a jealous eye, feels an honest indignation at that which would otherwise have scarcely produced the least emotion in his temper.

In the intervals between the years 1765 and 1781, the representations in the daily papers frequently called aloud for public contradiction, and their unreasonableness demanded refutation, while the feelings of the people (depressed by their sufferings) required to be strongly excited by a frequent remembrance of their injuries. At this period, Mr. Hopkinson not only contributed largely, in a general way, to the support of the cause in which he had embarked his fortune, but by the elegance and politeness of his writings, corrected in a great measure the gross scurrility that infected the press. His letters to James Rivington, printer of the Royal Gazette, at New York—his Epistle to Lord Howe—his two letters by a Tory—his translation of a letter written by a Foreigner on his Travels—his Political catechism, and several other pieces, were written during this period, and had a great tendency to the completion of this object. The last of these is called "The New Roof," a pleasing little allegory, containing in substance, the principal arguments used in the convention of Pennsylvania assembled in 1778, to consider the frame of government for

the United States, drawn up by the general convention of the United States, and by them recommended to the people at large. It is upon this piece Mr. Rush observed, that it "*must last as long as the citizens of the United States continue to admire, and to be happy under* the present national government of the United States."

After the peace with Great Britain, party spirit rose to such a height in Pennsylvania, that in many instances, private friendship yielded to political animosity. During the administration of president Dickinson this political madness was perhaps more ungovernable than it had been at any time since that period: with a view to check the evil consequences attendant upon such violent proceedings, Mr. Hopkinson published "A full and true account of a violent uproar which lately happened in a very eminent family." In this tract which is also allegorical, he has represented the political contentions that then agitated Pennsylvania, and placed those persons who were at the head of the administration, in a ridiculous light. This essay contains much of the satire and peculiar humour of Mr. Hopkinson.

He wrote several other essays arising in political dissentions, but which, being founded on no important transaction of the state, and turning chiefly upon personal ridicule, have lost much of their interest:

One however, deserves to be particularized, being distinguished for the severe pungency of its satire, and bears the title of "A Specimen of a Modern Lawsuit:" this is a piece of admiral humour; the objects of his ridicule could not be mistaken; the manner of the judges, and the learned council engaged to argue the important cause, between Laurence Landlord and Timothy Tenant, are sketched to nature; and the dramatic form in which the case is reported, conveys us immediately to a court of justice, and makes the humour irresistible by any person acquainted with legal proceedings.

A long and malicious contest in the public prints gave rise to a humorous proposal of Mr. Hopkinson's to establish a new court of justice, under the name of the "High Court of Honour," which was successful in putting an end to that disgusting altercation. Following up the idea on the next year, he published a humorous account of an imaginary cause conducted in this court, which gave occasion to the following singular anecdote as related by Mr. Hopkinson.—"The piece had been inclosed in a cover addressed to James Wilson, Esq., for whom it had been designed, and sent to his house. Mr. Wilson not being at home, his servant received the packet, and stuck it behind the parlour looking-glass. A Captain ———, who was frequently deranged in

his mind, and at such times full of notions of plots and conspiracies, went into Mr. Wilson's parlour without knocking, when none of the family happened to be there, and seeing the packet in the frame of the looking-glass, took it down and went off with it. There was at this time, a cause agitated in the supreme court of great popular attention, in which Mr. Wilson and most of the gentlemen of the bar were engaged. The next day I went into court, and happening to be seated near Mr. Wilson, I asked him if he had received my packet; he told me he did not get home till late in the evening; that the servant informed him there had been a letter for him, and that he had put it behind the glass; but that it had all at once disappeared, and nobody could give any account of it, although inquiry had been made through the whole family. Whilst we were thus talking, a cry of "make way there," was heard in the court, when Captain ——— pushing his way through the crowd, appeared before the bar with papers in his hand. He interrupted the lawyer who was then speaking, and informed the judges that he had papers in his hand which would immediately clear up, and determine the cause before the court; and that he had also discovered a most horrible and dangerous plot, partly against the state, and partly against the judge of the admiralty; confessing that he had made

this great discovery by breaking into, and robbing that gentleman's house, pointing to Mr. Wilson, declaring that so far as he was amenable for the robbery, he stood ready to submit to the law. The papers which I immediately knew to be mine, were handed up to the bench, and the chief justice was preparing to read the contents aloud to the court; but I forced my way up to him, and whispered him, that it was only a piece of literary sport between Mr. Wilson and me, and very unfit for the public ear on such an occasion. The papers were then delivered to Mr. Wilson, and the audience assured that they did not concern the present cause."

Among the politer writings of Mr. Hopkinson, is the Essay on White-washing. This has been frequently reprinted in different periodical journals, not only in America but in England, and the humour still remains as excellent as it was at the time of its first publication. How it came to be inserted in Dr. Franklin's works, we have yet to learn.

Of his poetry, it may perhaps be said that the greatest praise which can justly be bestowed upon it, is that the versification is easy, but that the subjects upon which it was mostly employed, being generally occasional, it cannot afford much interest beyond the immediate circle acquainted with the facts. The humorous ballad called "Battle of the Kegs," was

very popular at the time of its publication, and still retains its station among poems of this description; Mr. Hopkinson, however, is better known by this, than all his other poems put together. His larger pieces, are "The Treaty, a Poem," which according to the author's own words, was written on the banks of the Lehigh in the year 1761, when he served as secretary in a solemn conference held between the government of Pennsylvania, and the chiefs of several Indian nations, and "Science, a Poem," written in the course of the following year. These essays are neither deficient in harmony of numbers, nor in neatness of expression, and several detached passages are highly poetical; but taken as a whole, they excite at this day, but little interest; and as the Paradise of Poets, in the English language, will admit of nothing descending to mediocrity, these verses will seldom receive a second perusal, and that only by the curious in literature. However it would be unjust to condemn him for a failure in poetry, although he cannot be applauded for success. His poems were only intended to amuse, for a moment, the immediate circle of his acquaintance, and they were possessed of sufficient merit to entitle them to that attention: he therefore attained his object; humble, it must be admitted, but it would be absurd to condemn an architect for not erecting a splendid palace,

when he only prepared his materials to build a summer-house.

What now remains to be said of Mr. Hopkinson, has been given with so much eloquence and discriminative force by the able writer whom we have already quoted (Doctor Rush) that we should think it a wrong, both to the person described and to the biographer, to offer it in any other words, with which, for that reason, we shall close this memoir.

"Newspaper scandal, frequently for months together, disappeared or languished, after the publication of several of his irresistible satires upon that disgraceful species of writing. He gave a currency to a thought or phrase, in these effusions from his pen, which never failed to bear down the spirit of the times, and frequently to turn the divided tides of party-rage, into one general channel of ridicule or contempt.

"Sometimes he employed his formidable powers of humour and satire, in exposing the formalities of technical science. He thought much, and thought justly, upon the subject of education. He often ridiculed in conversation, the practice of teaching children the English language by means of grammar. He considered most of the years which are spent in learning the Latin and Greek languages as lost, and he held several of the arts and sciences which are

still taught in our colleges, in great contempt. His specimen of modern learning, in a tedious examination, the only object of which was to describe the properties of a "salt-box," published in the American Museum for February 1787, will always be relished as a morsel of exquisite humour, while the present absurd modes of education continue to be practised in the United States.

"Mr. Hopkinson possessed uncommon talents for pleasing in company. His wit was not of that coarse kind which was calculated to "set the table in a roar." It was mild and elegant, and infused cheerfulness, and a species of delicate joy, rather than mirth, into the hearts of all who heard it. His empire over the attention and passions of his company was not purchased at the expense of innocence. A person who has passed many delightful hours in his society, declares with pleasure, that he never had once heard him use a profane expression, nor utter a word that would have made a lady blush, or have clouded her countenance for a moment with a look of disapprobation. It is this species of wit alone that indicates a rich and powerful imagination, while that which is tinctured with profanity, or indelicacy, argues poverty of genius, inasmuch as they have both been considered very properly, as the cheapest products of the mind.

"Mr. Hopkinson's character for abilities and patriotism procured him the confidence of his countrymen in the most trying exigencies of their affairs. He represented the state of New Jersey, in congress, in the year 1776, and subscribed the ever-memorable Declaration of Independence. He held an appointment in the loan-office for several years, and afterwards succeeded George Ross, Esq. as judge of the admiralty for the state of Pennsylvania. In this station he continued till the year 1790, when he was appointed judge of the district court in Pennsylvania, by the president of the United States. In each of these judicial offices, he conducted himself with integrity. His education qualified him for their duties, for he had been regularly bred to the law, under Benjamin Chew, Esq. when attorney general of Pennsylvania.

"He was an active and useful member of the great parties, which at different times divided his native state—he was a *whig*, a *republican*, and a *federalist*, and he lived to see the principles and wishes of each of those parties finally and universally successful. Although his labours had been rewarded with many plentiful harvests of well-earned fame, yet his death, to his country and his friends, was premature. He had been subject to frequent attacks of the gout in his head, but for some time before his

death, he had enjoyed a considerable respite from them. On Sunday evening, May the 8th, 1791, he was somewhat indisposed, and passed a restless night after he went to bed. He rose on Monday morning at his usual hour, and breakfasted with his family. At seven o'clock he was seized with an apoplectic fit, which in two hours put a period to his existence, in the fifty-third year of his age."

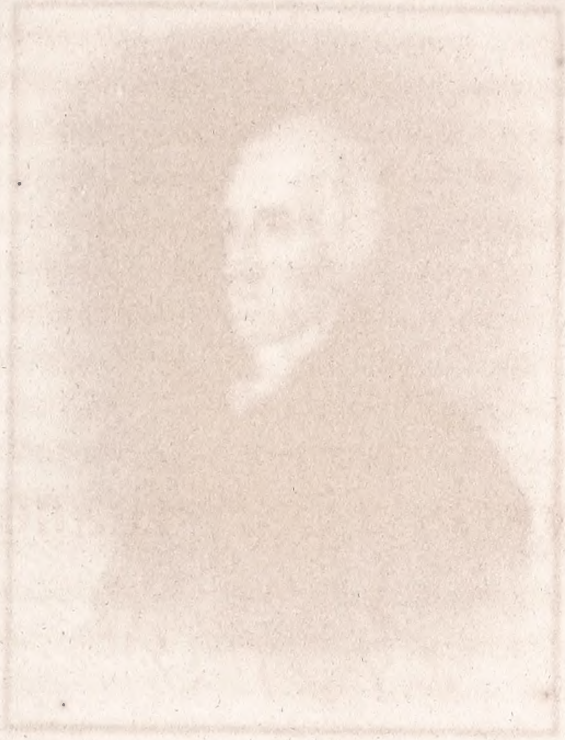
"His person was a little below the common size. His features were small, but extremely animated. His speech was quick, and all his motions seemed to partake of the unceasing activity and versatility of the powers of his mind.

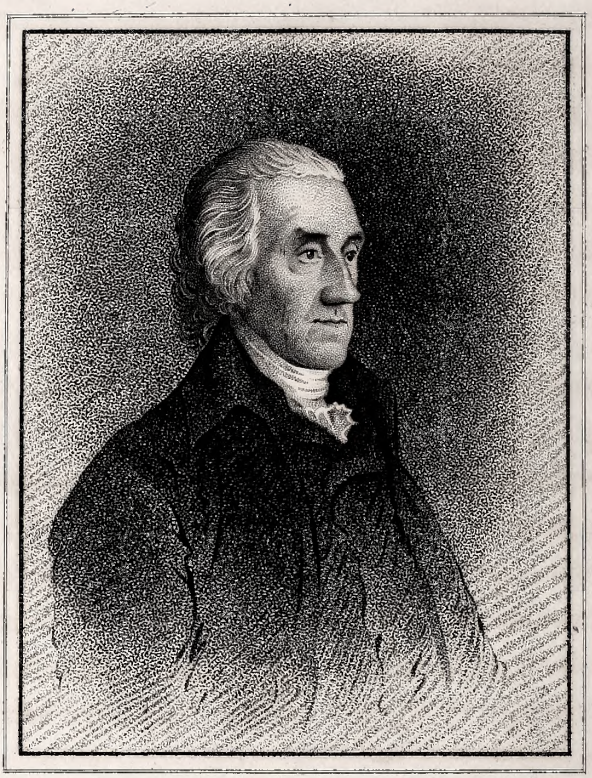
"It only remains to add to this account of Mr. Hopkinson, that the various causes which contributed to the establishment of the independence and federal government of the United States, will not be fully traced, unless much is ascribed to the irresistible influence of the ridicule which he poured forth, from time to time, upon the enemies of those great political events."

Mr. Hopkinson left behind him, besides his widow, five children, viz. two sons and three daughters; the eldest of whom, Joseph Hopkinson, has shone so conspicuously as a lawyer and an orator, in the courts of law, and in congress, to which he was twice returned as a representative of his native

state, that he is universally acknowledged to have more than fulfilled the expectations which were early entertained, that he would be the hereditary possessor of the virtues and talents of his father.

ROBERT TREAT PAINE.





ROBERT TREAT PAINE.

Drawn and Engraved, by J. B. Longacre, from a Sketch by Savage.

PAINE.

In the character of the first settlers of Massachusetts, there was much to approve and venerate. Never were men animated with a more ardent zeal for civil and religious freedom. It was their chief care to provide for the support and extension of the christian religion, by having a learned clergy, and by establishing schools in all the settlements, where the population required, or would justify the measure. And from the earliest history of the colony, we find, that the great body of the people were well informed and carefully instructed in the doctrines and duties of christianity. Nor were they less solicitous of preserving their civil and political rights. And it is believed, that wherever religious freedom is duly appreciated, there also will be found to prevail a spirit favourable to political liberty. The instruction

and information requisite to render men enlightened christians, will also enable them to understand correctly and dispose them to value their civil rights and privileges. It will not therefore be considered impertinent, we trust, in the biography of a distinguished civilian of this part of the country, to have observed, that there is a reciprocal influence between liberal sentiments in religion and politics, favourable to the preservation of each.

At different periods and on various occasions, in the history of Massachusetts, previously to the revolution in 1775, the lofty spirit of freedom was called into action; and was displayed, in contending for charter privileges and powers, and in opposing the arbitrary measures of the British parliament, which had reference to this country, as well as the attempts of the royal governors to interfere with rights long claimed and exercised by the people and the legislatures of the colonies. While they acknowledged dependance, ultimately, on the king and government of Great Britain, they insisted on the enjoyment of all the rights of Englishmen, and contended for the liberty of self government by legislatures and judges of their own appointment: And while they claimed to exercise all the rights given in their charter, or belonging to them as free-born subjects of the parent country; and were thus induced to oppose all

arbitrary and oppressive laws, yet was their opposition always conducted with great temper and moderation.

Such was the spirit and such the character of the patriots and citizens of Massachusetts in 1763, when the controversy was revived between this country and England, as to the extent of parliamentary authority and of the prerogatives of the crown, in governing the colonies. The people, generally, understood their rights, and appreciated the struggles and sacrifices of their fathers, in defending and preserving them. It depended, however, upon a few highly intelligent and patriotic individuals, to go forward in the great work of political freedom. The people of that memorable period were fortunate in having able men to defend and advocate their cause. And those who had the ability to contend with ministerial agents and the friends of arbitrary power, were happy in the support of their fellow citizens, known to be enlightened, virtuous and brave.

For twelve years previously to the actual commencement of hostilities, the patriotic legislators of Massachusetts, were constantly engaged in asserting and advocating the rights of the colonies, and in opposing the arbitrary claims of the British ministers. And they conducted themselves with such singular

firmness and zeal, such ability, moderation and perseverance, as entitle them to the unceasing gratitude of their posterity. The volume of Massachusetts State Papers, for that period, gives abundant evidence of the learning, wisdom and patriotism of those illustrious sages and statesmen.

Though not in a public station, at a very early period of the controversy with England, Mr. Paine, a sketch of whose political life is proposed in this article, will be seen to have taken a decided and active part, several years before the declaration of Independence; and in 1774, and afterwards, to have ranked among the most distinguished patriots and civilians of our country.

Robert Treat Paine was born in Boston, in 1731, of pious and respectable parents. His father descended from an ancient and worthy family in the province; was a man of public education, and for a few years pastor of a church in Weymouth, in the vicinity of Boston. Owing to the delicate and feeble state of his health, he was separated from his people, and removed to Boston, where he engaged in mercantile pursuits. His mother was a daughter of the Rev. Mr. Treat of Eastham, in Barnstable county, an eminent divine, and a good classical scholar. The Rev. Mr. Treat was a son of governor Treat of Connecticut; and his wife, the

maternal grandmother of Robert Treat Paine, was the daughter of the Rev. Samuel Willard of Boston, a gentleman greatly celebrated for his piety and learning. From such parents, no doubt he received the best moral and religious instruction. His early classical education was under James Lovell, many years the principal of a Latin school in Boston. He became a member of Harvard College at the age of fourteen. Of his habits and acquirements at the university, little is now recollected by his family or friends. But we may reasonably conclude that he was attentive to his studies and correct in his deportment; as instances are very rare of dissolute or indolent youth, becoming respectable and eminent in future life. And even in the few cases of the reverse, which occur, the change is so remarkable as to be particularly remembered, and noticed as an exception to the general course of things.

After he left the university, he was some months employed in keeping a public school, in a country town. In New England, this has always been considered an honourable as well as useful occupation. And it was the opinion of the learned and judicious Doctor Belknap, that this employment for young men, a short period, is highly useful, in gaining a knowledge of human nature and in acquiring habits of attention, patience and self control. He afterwards

made a voyage to Europe, to which he was chiefly induced by a wish to acquire means to assist his father and family, who were in reduced circumstances, and some of whom were of a very infirm and sickly constitution. His conduct in this respect, was highly creditable to him; and he continued to afford support to a maiden sister till her death, which was not till she had far advanced in years. He never suffered her to want, though he had a large family to maintain, and no estate but such as he acquired by his own industry and prudence. He also contributed to the support of his father for several years in the latter part of his life, who had been unsuccessful in business; and the attention and respect which he always showed to an unfortunate but worthy parent, merits particular commendation.*

Mr. Paine, before he entered on the study of the law, gave his attention, for some time, to theological subjects; which probably had the happy effect to give him clear views of the evidences of christianity, of the truth of which, he always declared his firm belief. And it is proper to observe here, that his opinions were very liberal and rational; such as were the result of freedom of thought, and of the exercise of the understanding, in his theological in-

*See note A, at the end of the volume.

quiries. He was a few months with the troops from this province, at the northward, in 1755, in the capacity of chaplain; and occasionally preached in the pulpits of the regular clergy, in Boston and its vicinity.

It was about this time, that he engaged in the study of the law, with Benjamin Pratt, a celebrated barrister in the county of Suffolk, and afterwards chief justice of the colony of New York. And having no pecuniary assistance from his father, he was obliged, during this period, to resort again to the profession of schoolmaster for his support. But although he was a few years later than his classmates, in finishing his professional studies, and entering on the practice of the law, his former pursuits were beneficial to him. He came to the courts with more weight of character, maturity of judgment and various knowledge of men and things, than most of his contemporaries.

He first established himself in Boston, where he remained a short time, and then removed to Taunton in the county of Bristol, where he continued for many years; not however confining himself to that part of the province; for he frequently attended the courts in several other counties. The celebrated Timothy Ruggles practised in the same courts; and Mr. Paine was a formidable rival to him, in the ca-

reer of business. He had, indeed, many qualifications for an able and popular lawyer. He was learned, argumentative, discriminating, prompt and satirical. He was thoroughly acquainted with the great principles of common law, with decisions and precedents of courts; and ever ready to reply, with pertinance and effect, to his opponents, or to fix the attention of the jury by just and appropriate remarks.

At this period, there is an interesting correspondence of Mr. Paine with J. Sewell and J. Adams, and other distinguished lawyers; and with S. Elliot, an intelligent merchant of Boston, who was a particular friend of the Rev. Doctor Mayhew. The same professional pursuits occasioned his particular intercourse with the former, and the similarity of their religious views was probably one cause of his intimacy with the latter; though the social qualities and literary taste of Mr. Elliot, were such as to render him highly esteemed by the intelligent men of that day. Their letters discover an eager thirst for useful knowledge; some of them contain inquiries on legal subjects; and some discover a disposition to avail of the passing events and fashionable manners of the age.*

In 1765, there was an attempt to evade the revenue laws (then recently enacted, and considered

* See note B, at the end of the volume.

very oppressive) in the county of Bristol, on Taunton river, by removing from the custody of the officer, in the night, some articles just imported from the West Indies; and, afterwards, when the officer would have taken them, he was opposed by force, and a riot ensued. On application to the governor and council, five magistrates were designated in that county, to inquire into the affair, to support the officer in the execution of his duty; and, if necessary, to call out the militia to aid them. S. White, speaker of the house of assembly, and Mr. Paine, were of the number; and their conduct was fully approved by the executive of the province.

Long before he was called to act as a legislator, and while the dispute was agitated with the royal governors and the British administration, who claimed the right to legislate for us, and to impose taxes without our consent, he is said to have taken a deep interest in the question, and to have decidedly approved of the principles, resolutions and measures of the patriotic whigs, who were leading members of the legislative assembly. In September, 1768, the general court having been dissolved by governor Bernard, because they would not rescind their circular letter to the other colonies, requesting them to act in concert for the public good, a convention was called by the leading men of Bos-

ton. Most of the towns in the province deputed some one of their patriotic and able citizens to attend. Mr. Paine was a delegate to this convention from the town of Taunton. Several spirited resolutions were adopted, calculated to rouse and animate the people, to confirm them in their attachment to their charter rights, and to show the administration in England, that, though the general court was dissolved, the province could act with energy and effect. Bernard ordered them to separate, but they remained in session several days, contending that such a meeting for redress of grievances, was strictly constitutional.

Mr. Paine was employed by the citizens of Boston to conduct the prosecution on the part of the crown, against captain Preston and his men, for firing on the inhabitants of the town, on the 5th of March, 1770. Jonathan Sewell, the attorney general, was unwell at the time and unable to attend the trial. We believe it was at the request of Samuel Adams, one of the committee of the town, that Mr. Paine was engaged as counsel in this prosecution. The preference thus given him, to other legal characters in the state, is an evidence of his reputation as a lawyer and a patriot.*

* See note C, at the end of the volume.

In 1773, when the conduct of the British administration had so alarmed the patriots of America, that the colonies were corresponding with one another to withstand the tyrannical measures which still threatened them, a similar intercourse was established between the citizens of the capital and the other towns in Massachusetts. On this occasion the town of Taunton chose a large committee, of which Mr. Paine was chairman. Resolutions were passed by this committee, the original draft of which has been found in the hand writing of Mr. Paine, not inferior in firmnes and patriotism, to those previously passed in Boston.

This year he was chosen a representative to the general assembly of the province, for the town of Taunton. At this time, none but firm and active friends of liberty were delegated by the people. Those, only, who possessed talent and principle, were selected to maintain the ancient rights of the colonies, and to consult for the general welfare. He was appointed on several important committees, durring this year; and was one of the members chosen to conduct the impeachment against Peter Oliver, then chief justice of the province, who was charged with receiving his stipend from the king, instead of a grant, as usual, from the assembly; thus being more liable to ministerial influence, and wholly in-

dependent of theprovincial government. This impeachment was conducted with great ability, and the proceedings are preserved in the journals of the house for that year. Mr. Paine was again chosen a representative in May 1774, and was an active and influential member at that very critical period.

Governor Hutchinson had been ordered, about this time, to England, and general Gage appointed his successor. Being a military character, and without relations or any family attachments in the province, his appointment justly excited an apprehension among the people, that they were to be governed by armed men; and, that the acts of parliament, and the orders of the ministers, were to be carried into effect, if opposed, at the point of the bayonet. The intelligent statesmen in the province, saw a crisis approaching, which would require all their firmness; and perceived that the only alternative was submission to the arbitrary measures of a deluded and tyrannical administration, or open opposition by military force. Soon after, the general court assembled in Boston, and was adjourned to Salem by governor Gage. It was a period of great excitement and alarm. A committee was chosen larger than on any former occasion, to consider the state of the province, of which Mr. Paine was one. By recommendation of this committee, a very important mea-

sure was adopted; which was, that a continental congress be holden, to be composed of delegates from all the colonies, to consult for the general welfare, and for the maintenance of the rights and liberties of America. The plan was opposed by some members of the general court, of great ability and influence; one of whom had hitherto professed to be dissatisfied with the conduct of the British administration. This gentleman was the colleague of Mr. Paine, and a gentleman of education and talents: He was also one of the committee, chosen at the beginning of the session, to consider the political situation of the province. At the instance of Mr. Paine, he was sent from the general court on some other business; and the rest of the committee being unanimous, the plan was finally adopted; and it was voted to recommend to the other colonies to unite in the measure. Governor Gage having received some intimations of their proceedings, ordered that the assembly should be dissolved. For some hours, they refused admittance to the messenger from the governor; and selected five of their number as delegates to meet those who should be appointed by the other colonies, in a general congress at Philadelphia, in September following. Mr. Paine was one of this delegation:*

* The others were J. Boudoin, T. Cushing, S. Adams and J. Adams. Mr. Boudoin did not attend.

And a greater proof of confidence in his integrity and patriotism, or a higher sense of his talents and firmness, could not have been given. The delegates from Massachusetts, it may be proper here to remark, were the first chosen on the Continent. But the other colonies most cordially acceeded to the proposal; and when their respective assemblies met, in the course of the summer, elected members to attend the convention.*

A similar measure had been adopted, in 1765, by recommendation of the assembly of Massachusetts: And in 1768, the united efforts of all the colonies had been proposed by a circular address from this province, requesting them to state their grievances, as the general assembly here had done, and "to harmonize with them in all probable and proper measures to obtain redress." It was this proposition which gave such great offence to the administration in England, and in consequence of which, governor Bernard was instructed to insist on its being disavowed or rescinded, or to dissolve the assembly of the province. They however declined, but expressly and firmly justified the measure; upon which the general court was dissolved, and did not meet again, until after a new election of representatives in May 1769.

*Georgia did not send members to this first congress, but came into the measure the next year.

It was justly concluded, that the deliberations and proceedings of such an assembly would have more effect; and would, at the same time, be likely to result in a correct and comprehensive view of what the public good required. Massachusetts, and some other colonies, had petitioned separately; but without producing any relaxation in the arbitrary and oppressive measures of the administration. It was important to learn the views and opinions of the other colonies, and to unite their efforts for the protection and welfare of the whole.

As yet, a separation from Great Britain was not openly proposed, or generally contemplated; though some of our more reflecting statesmen, even at this period, considered it not improbable that this would be the final result of the controversy. The patriots of that day contended only for the enjoyment and exercise of rights believed to be guaranteed by their charter; and expected, that, on their firm and decided stand against the administration, their liberties would still be continued inviolate. It was under these impressions, that the first continental congress convened at Philadelphia, in September 1774. The journal of their proceedings affords sufficient proof that their sentiments and views were such as have been stated. They addressed the people of America; they petitioned the king; they stated their grievances, enumera-

ted the offensive and oppressive acts of parliament; and boldly asserted their privileges and rights; but at the same time declared their attachment to the king and government of England, and deprecated the evils of open hostilities, or final separation. It was recommended to the several colonies, by this congress, to suspend the importations of British goods, with a view to induce the administration to repeal the late statutes for raising a revenue, and laying new and heavy duties on most articles imported into America.

Particular reference was had, by this congress, to the efforts and sufferings of the people of Massachusetts—the former were highly approved and applauded, and the latter, feelingly commiserated. For hitherto, the firm stand in defence of American liberty, made by the citizens of this province, had particularly provoked the censures of the British ministry; and against them chiefly, the severe and oppressive acts of parliament were pointed. But their patience and moderation were as remarkable as their decision and firmness. On the communication to congress, of the proceedings at a meeting of delegates from the several towns in the county of Suffolk, at Milton, in September 1774, that honourable body unanimously resolved, "that it felt deeply for the sufferings of the people in Massachusetts, under the ope-

ration of the late unjust, cruel and oppressive acts of the British parliament—that it most thoroughly approved of the wisdom and fortitude with which opposition to those wicked measures had hitherto been conducted." And recommended a perseverance in the same firm and temperate conduct which had been already displayed, particularly by the delegates of said meeting, "trusting that the united efforts of America in their behalf, would carry such conviction to the British nation, of the unwise, unjust and ruinous policy of the present administration, as soon to introduce better men and wiser measures." A further proof of the sense they entertained of the correct conduct of Massachusetts, at this critical juncture, we find contained in a letter to governor Gage, dated October 10, of the same year. In which they say "that the town of Boston and province of Massachusetts Bay, are considered by all America, as suffering in the common cause, on account of their noble and spirited opposition to oppressive acts of parliament, calculated to deprive us of our most sacred rights and privileges."

This session of the continental congress closed in October; but not without a solemn appeal to the people of America, of Great Britain, and to the world, that their object was solely to preserve and

maintain their former rights, which they believed they might justly claim as subjects of the British empire, and which were guaranteed to them by their ancient charters. "So far from promoting innovations," say they, "we have only opposed them; and can be charged with no offence, unless it be, to receive injuries and to be sensible of them. Feeling as men and thinking as subjects, in the manner we do, silence would be disloyalty. By giving this information, we do all in our power to promote the great object of the royal care for us, the tranquillity of government and the welfare of the people. Had we been permitted to enjoy in quiet, the inheritance left us by our fathers, we should, at this time, have been peacably, cheerfully and usefully employed, in recommending ourselves, by every testimony of devotion, to his majesty and of veneration to the State from which we derive our origin. Though now exposed to unexpected and unnatural scenes of distress, by a contention with that nation, in whose general guidance, on all important occasions, we have hitherto, with filial reverence, constantly trusted, and therefore can derive no instruction, in our present unhappy and perplexing circumstances, from any former experience: Yet we doubt not, the purity of our intentions and the integrity of our conduct, will justify us at that great tribunal, before which all

mankind must submit to judgment. We ask but for peace, liberty and safety. We wish not a diminution of the royal prerogatives; nor do we solicit the grant of any new right in our favour."

In May 1775, the continental congress met again at Philadelphia; and Mr. Paine was one of the five delegates chosen to attend from Massachusetts. He was also elected a deputy from the town of Taunton to the provincial congress, which sat at Concord, in October 1774; and again in February, March and April 1775. It is evident he could not have attended both the continental and provincial congresses, during the whole of the sessions. In the latter, he was present a part of the time, and was one of the committee, in February 1775, to consider the state of the province—but in May he again took his seat in the continental congress. It is obvious, however, that these several appointments afford unequivocal proof of the high sense the citizens of Taunton, and the members of the provincial assembly, by whom deputies to the continental congress were elected, had of his patriotism and talents.

The measures adopted by the congress of this province, at this juncture, were not only important to the safety of Massachusetts, but were designed and calculated to have an effect favourable to the cause of liberty throughout the colonies. It was re-

commended to the people of the province to arm in defence of their violated rights; and an appeal was made to the other colonies, urging them to come forward, and to act in opposition to the arbitrary claims and menaces of the British administration.

Such was the state of the country; hostilities having actually commenced; the tone of parliament raised, being rather threatening than conciliatory, and troops pouring into the country from England, when the second congress assembled at Philadelphia, in May 1775. The attention of this honourable and patriotic body was early engaged by the communications from the provincial congress of Massachusetts, stating the sufferings of the people, the effects of the battle of Lexington and Concord, and the threatening attitude of the British troops in Boston, under the command of governor Gage. One of the documents thus communicated, was a spirited address to the people of England; which the continental congress so approved, that they ordered it to be published. As Mr. Paine was one of the committee, in the provincial assembly for considering the state of the country, and probably the principal agent in preparing it, the following extract may be worthy of an insertion in his biography.

After mentioning the attack made by the British troops on the militia at Lexington and Concord, and

stating the number of men slaughtered, it is added —"These, brethren, are marks of ministerial vengeance against this colony, for refusing, with her sister colonies, a submission to slavery; but they have not detached us from our royal sovereign. We profess to be his loyal and dutiful subjects, and though so hardly dealt with as we have been, are still ready, with our lives and fortunes, to defend his person, family, crown and dignity. Nevertheless to the persecution and tyranny of his cruel ministry, we will not tamely submit—appealing to heaven for the justice of our cause, we determine to die or be free. We cannot think, that the honour, wisdom and valour of Britains, will suffer them to be long inactive spectators of measures, in which they themselves are deeply interested—measures highly incompatible with justice, though pursued with a specious pretence of easing the nation of its burthens—measures, which if successful, will end in the ruin and slavery of Britain, as well as of the persecuted American colonies. We sincerely hope, that the great sovereign of the universe, who hath so often appeared for the English nation, will support you in every rational and manly exertion with these colonies, for saving it from ruin; and that in a constitutional connection with the mother country, we shall soon be altogether a free and happy people."

Early in this session, it was proposed to appoint a continental fast, on account of the troubles and dangers of the country. Mr. Paine was one of the committee who prepared the proclamation for this purpose. He was also appointed chairman of a committee to introduce the manufacture of saltpetre, and was indefatigable in his attentions to this subject. He consulted chymists, wrote to many influential characters in different parts of the country, and engaged people in various towns throughout the provinces, to engage in the manufacture of this article. Their experiments were very successful in many places, and were highly beneficial to the country.* During this session of congress, he was appointed one of a committee for encouraging the manufacture of cannon. In this business he was also active and persevering; and his services were very important in obtaining a supply for the army in this and the following year.

In the autumn of this year, he was deputed, with two other members of congress, to visit our army, on the northern frontier, under the command of gene-

* In a letter on this subject, he says "it must afford great satisfaction to every town in the United Colonies to defeat the evil designs of their enemies in any respect; and it will gratify me to have attempted it, though, unfortunately it should not succeed. And without some effort, I fear it will e'er long be said, that we have become slaves, because we were not industrious enough to be free."

ral Schuyler. They were clothed with unlimited powers, as to the increase, the plans and destination of the troops in that quarter. This commission, which is an evidence of the confidence reposed in the committee, for talents, prudence and decision, was discharged to the entire satisfaction of congress. Soon after this, he was appointed chairman of a committee to make contracts for muskets and bayonets, and for encouraging the manufacture of fire arms.

At the commencement of the dispute with the British government, as has been observed, there was no plan and no intention of separating from the parent country. And even after hostilities began, and a resort was had to arms by the people in the colonies, it was in the hope, that parliament would repeal their arbitrary and obnoxious laws, and that harmony would still be restored. But in the course of this year, when it was found that the administration did not change its measures and the British army increased, the most intelligent and resolute of the people avowed their belief of the propriety of Independence. President Adams was among the first who declared his opinion, that we must become a separate and independent nation. S. Adams, J. Hawley and some others were, at this time, of the same sentiment. One of the active and leading pa-

triots* of Massachusetts, at this period, in a letter to Mr. Paine, thus expressed himself on the subject; "No one can have any thing to hope from a favourable reception of the petition last sent to the king and parliament. My hopes, however, now rise in favour of American liberty. And it lies with your congress to set us free—free from a charter which has been a curse to our fathers, as well as to us. I weep; I deeply mourn at the thought of being separated from Great Britain: But I think it looks as if we must be forever separated. If she calls in foreign aid to enslave us, may we not look for help from God and man, in such a righteous cause?" In February, 1776, general D. Cobb, in a letter to Mr. Paine, also observes, "In short, if we can keep peace among ourselves, if we can ward off the malicious shafts of wicked and designing men, who are attempting our disunion, we certainly shall have nothing to fear. For having every internal resource, for a great and glorious empire, and trusting in God who has carefully conducted us along the precipice of danger, we shall finally be placed above dependance on the tyrant, and bid defiance to the world." And on the 10th of June, in the same year, he wrote as follows: "Pray hasten that glorious day, when we shall no longer continue one of the circulating

*General J. Palmer, of Braintree.

orbs of the system; but like our predecessor, the Sun, be fixed in the centre, shine with unborrowed lustre, and kindly diffuse the rays of our influence on the worlds around us."

The representatives of the people of Massachusetts, having been advised by the continental congress, to form a government as similar to their former one, as circumstances would permit; accordingly five of their most learned and eminent lawyers, were appointed to be justices of the superior court of judicature, for the province. J. Adams was appointed chief justice, and Mr. Paine one of the associates; but considering the situation which he then held, as rendering equal service to his country, he declined the office. In December, 1775, he was again chosen a delegate to the continental congress.

In the month of April, 1776, he was appointed one of a committee for procuring more cannon for the army. In June, he, with Mr. Rutledge and Mr. Jefferson, was desired to report rules for the conduct of congress in debate. And in the same month was appointed, with others, to enquire into the causes of the miscarriages in Canada.

On the 4th day of July, when the solemn Declaration of the independence of the American colonies, was made and published to the world, he was

present and affixed his name to that instrument. In referring to this most interesting event, it is difficult to express the feelings of admiration and respect, which we experience towards those resolute and high minded men who were leaders in so important and hazardous a transaction. They hazarded ease, property and life, in the cause of liberty; for the good of their country and for posterity. It was not a hasty or vindictive measure, nor dictated by any motives of selfish ambition. They had been engaged in the controversy for years. They knew that every effort had been made by petitions, arguments and remonstrances; and that all were in vain. And they believed, that they and their children must be slaves; or that they must assume the powers of an independent nation, and maintain their liberties by force. With this alternative in view, they did not hesitate what part to choose, or how to act. Though few in number, and with means of defence very inadequate to the contest, when compared with the military force of the parent country, they persevered in the struggle for freedom; and trusting in the ardour and zeal of the people, and in the righteous providence of God, they dared to oppose themselves to the gigantic power of England.

In December 1776, the situation of the continental congress, was extremely critical and perilous.

The British army, consisting of 6,000 and upwards, was making rapid advances through New Jersey towards the city of Philadelphia. The American troops under Washington, did not exceed 2,500; and little assistance was to be had from the militia in the vicinity. The power of the enemy deterred many from open opposition, and neutralized a great portion of the people in that part of the country. The judicious and resolute conduct of Washington, at this time, is well known. The enemy were checked in their progress, and prevented from taking possession of Philadelphia. The alarm however was so great, that congress removed to Baltimore; but continued firm in their purpose, amidst all the dangers and difficulties which surrounded them.

The following extract of a letter from Mr. Paine, gives a particular account of the situation of congress at that period. "Our public affairs have been exceedingly agitated since I wrote you last. The loss of fort Washington made way for that of fort Lee; and the dissolution of our army happening at the same time, threw us into a most disagreeable situation. The interception of an express, gave the enemy full assurance of what they must have had some knowledge of before, the state of our army; and they took the advantage of it. In two days after their possession of fort Lee, on the 20th of

November, where we lost much baggage, and the chief of our battering cannon, they marched to the Hackensack, and thence to Newark, driving general Washington before them, with his 3,000 men—thence to Elizabethtown. General Washington supposed, from the best information he could get, that they were 10,000 strong; marching with a large body of horse in front and a very large train of artillery. We began to be apprehensive they intended for Philadelphia; and congress sat all Sunday in determining proper measures on the occasion. I cannot describe to you the situation of this city. The prospect was really alarming. We could not calculate on a force sufficient to defend the city on such a sudden call. General Lee was on the other side of the Hudson river, and no hope could be expected from Ticonderoga. But to work we went—the associations of the city were drawn forth, and about 3,000 men, with some artillery, marched. The country associations were called upon; but there was no expectation of immediate relief from them. As the week advanced, we had repeated advices from general Washington of the unopposed approach of the enemy, headed by general Cornwallis. On Monday we were informed that they had arrived at Brunswick, and that Washington was retreating to the west side of the Delaware. We sent many contin-

ental stores into the country, and great numbers of the people are moving. The shops have not been opened since Sunday; and there was a real apprehension that we should be routed. I need not tell you what our calculations were on the expectation of losing this city. I had called in my accounts and prepared matters for a regular retreat: But on Thursday we found the enemy had not crossed the Brunswick river. By an officer of my acquaintance, who went with a flag to the enemy, to exchange a prisoner, we learned that they were about 6000 strong; and were surprised to find Newark and Elizabethtown evacuated by its inhabitants; that they knew the state of our army, which induced them to make the excursion. The enemy are in possession of a large part of New Jersey; and the remaining part is greatly distressed by their approach. But I hope this affair will rouse them from that lethargy which occasioned this excursion. Had their militia been alert and resolute, and given general Washington the support they might have done, these events had not happened; but carelessness and apathy have been the lords of our ascendants this last month. It is to no purpose, however, to scold. Let us carefully ascertain our past errors, and amend them. Sunday, 8th; congress were called this morning, on advice, that general Howe had joined

general Cornwallis with a large reinforcement, and was marching to Princeton. This measure induces us to think, that the expedition is against Philadelphia. Monday, 9th; Yesterday general Washington crossed the Delaware, and the enemy arrived at Trenton on the east side, thirty miles from this place: Close quarters for congress! It obliges us to move; we have resolved to go to Baltimore."

The reputation of Mr. Paine, for zeal in the cause of liberty, and for talents and activity suited to the great concerns of the country, was now as high as that of any man in the state. He acted from principle, and was fully persuaded of the justice of the cause in which his country had engaged. He was one of those who never wavered in the cause thus deliberately adopted. And when difficulties increased, he was the more resolute and active. He was never, indeed, very conciliating in his deportment. There was a severity as well as frankness in his manner which sometimes, unjustly procured him enemies. But he was intelligent, faithful to the trust reposed in him, and unwearied in his efforts to be useful. And he possessed a great portion of that sound, discriminating judgment, and practical wisdom, which are generally of more value than a talent for ingenious theories, without a faculty to carry into execution.

Mr. Paine was again elected a delegate to the continental congress for the years 1777 and '78.

And for a part of this period, also, filled some of the highest offices in the government of Massachusetts. In June 1777, he was a member of the house of representatives; and a part of the session, acted as speaker. In the course of this year he was appointed attorney general by the unanimous vote of the council and house of representatives. In 1778, he was one of a committee, on the part of Massachusetts, to meet others from the northern states, in New Haven, to regulate the price of labour, provisions, manufactures, &c. This was a period of great embarrassment and perplexity in the country. The paper money which had been issued to pay the army and meet the expenses necessary to prosecute the war, had depreciated to half or one fourth its nominal value; and the difficulty was increasing. The government could not command specie to pay their bills: they had, of course, no fixed or certain value. The articles of living were greatly advanced, compared with the real value of the currency. The soldiers complained: they were unable to support their families. Nor could new recruits be raised, while the currency of the government was at so low an estimation. Many statesmen were opposed to any interference on the part of government; and contended that the evil would soon remedy itself, and that laws on the subject would be

without effect. Others who felt for the sufferings of the soldiers, and believed it impossible to enlist new troops, unless some measures were adopted to prevent the evil, and do justice to the army, were in favour of applying legislative aid. Mr. Paine was among the latter. A law was made in this state, soon after, to prevent oppression and monopoly; and to fix the price of the necessary articles of living, in reference to which the soldiers should have their pay regulated. And as the paper money became less valuable, they were allowed a proportionably greater sum, so as not to suffer by its depreciation. In a letter to a particular friend,* who differed from him in opinion, on this subject, he observes: "The doubts you expressed of the prospect of carrying the regulating act into execution, have given me great uneasiness; but more so, as you do not consider it essential to the common cause, as those do who made it. For however zealous I know you to be in defence of American liberty, I never could expect you to be zealous in support of so difficult a measure, which you do not think essential to it. But I believe our political salvation depends on the execution of this law. The proposal of congress hath been, and the object of the regulating act is, to fix the price of goods at a due proportion with soldiers'

* Hon. William Baylies.

wages. And they are continually taught to believe this as an encouragement for enlisting. While they are fighting in defence of our liberties abroad, they may reasonably expect, that we who remain at home, will exert ourselves in support of a law made to realize their wages. If we can neither obtain or support an army without giving permanency to our currency, and fixing the price of goods, then every measure to effect this, is essential to the political salvation of America. This is no time to please ourselves with speculations: we must practice. It is written in the book of nature, and should be engraved on the heart of every American, that if we do not exert ourselves in fighting against our common enemy, we shall soon be forced to do it in working for them."

He was a member of the legislature of Massachusetts, in February 1778, and one of a committee, of that assembly, for preparing a form of civil government or constitution for the state; and is reported to have been the principal agent in preparing that instrument. It was not considered sufficiently explicit by the people, in securing their political rights; and was rejected by a large majority of the citizens.

In January 1779, he was chosen one of the executive council; by which, together, with his former appointments, the whole of his time was occupied in

public business. The council was then, almost constantly in session; and the duties of his legal office were likewise arduous and required much attention. In the course of this year he was also elected a delegate to the convention, called to form a constitution for this commonwealth: and was one of the very respectable committee, which prepared and reported the excellent instrument, adopted by the people in 1780; and which is still the happy frame of the government of Massachusetts.

In the month of October, in this year, the government was organized agreeably to the provisions and principles of this constitution. Mr. Paine was early appointed attorney general of the commonwealth; and continued in that office until 1790, when he accepted a seat on the bench of the supreme judicial court. An appointment which, being offered him in 1782, and which he had for particular reasons, been induced to decline.*

The peculiar duties of attorney general, however faithfully discharged, are not calculated to recommend a man to popular favour. It belongs not to his office to show mercy. On the contrary, he must take care that the laws are strictly observed, and that those who violate them be duly punished. This is an ungrateful task. He cannot fail of making ene-

* See note D, at the end of the volume.

mies; and seldom conciliates the esteem or good will of his fellow citizens. Mr. Paine discharged the arduous duties of this office with singular fidelity and great legal ability. And whatever appearance there might be, in his deportment, of severity or harshness, it is well known to his particular acquaintance that he possessed a great portion of the kind and humane feelings in his character. He was charitable in his judgment of others, and compassionate towards the afflicted and unfortunate. But of the habitually and obstinately vicious and dissolute, he was wont to speak with much indignation and severity. It has been pretended, that he was unkind and unfeeling as a parent.* Never was there a more unfounded charge. No one ever did more for the improvement and happiness of his family. His children were well educated, and every effort was made on his part, to make them useful and respectable in society. But he did not allow his fondness for them, to countenance any extravagance which his pecuniary circumstances would not warrant, without being unjust to others. He was domestic in his habits; a

* This charge was brought by a particular friend of one of his sons; but he was unacquainted with the character of judge Paine. This son had a strong hold on the affections of the father; and every indulgence, proper for a parent to bestow. Though a man of genius, he was inattentive to business; and had the father yielded to all his wishes, he would have been justly chargeable with improper indulgences. But he never intermitted his parental and kind attentions.

kind and faithful husband; and his family circle was the scene of unrestrained freedom and enjoyment.

He held the office of judge of the supreme judicial court, till 1804, when he had attained the age of *seventy-three years*. He was too infirm to go the circuits of these courts, which was a journey of several hundred miles. And his great deafness was also thought to be a disqualification for the office. He discharged, however, the important duties of this highly honourable office, for fourteen years, with great impartiality and fidelity. And he made use of his official authority and influence in favour of literary and religious institutions; which he considered essential to the support both of good morals and of rational freedom. He always urged upon the grand jurors the importance of seeing the laws duly executed, for the maintenance of schools and of a learned ministry, in all the towns. He insisted that religious principles were a necessary foundation for uniform morality and virtue, and that the instructions of a learned clergy were requisite to preserve religion in the community.

He was a decided friend to the constitution of the United States, which he supported both by his writings and conversations. He employed his influence in favour of the administrations of Washington and Adams; and during the critical periods of 1794 and

'99, he advocated their measures of government which he believed essential to the interests of his country, with great zeal, energy and abilities.

On resigning the office of judge, he was elected a counsellor of the commonwealth for 1804. Subsequently to this period, and even till his death, he retained his mental faculties in great vigour. He was intelligent, inquisitive and judicious. His memory was remarkably lively and powerful; and he would relate, with much satisfaction, the scenes through which he passed, connected both with the dangers and prosperity of his country. In conversation with old or young, he was sprightly, communicative and instructive. He was prone to indulge in repartee and wit: And while he allowed himself in playful severity towards others, he was not offended in being the subject of similar raillery.

Judge Paine possessed much of the peculiar spirit of the early settlers of New England. He was a patron of all useful learning, and held a high rank among the literary men of our country. He was one of the founders of the American Academy, established in Massachusetts in 1780; and was a counsellor of that learned society till his death. He received also the honorary degree of doctor of laws from the university at Cambridge.

He was a decided, firm believer in the christian revelation. He had studied its evidences, its spirit

and its tendency, and was fully convinced of its divine origin. He received it as a system of moral truth and righteousness given by God for the instruction, reformation, consolation and happiness of man. If however, it did not make us virtuous, benevolent and holy, he believed it would not eventually benefit us; but he laid little stress on speculative opinions, which have so often been, unhappily, the occasion of bitter and disreputable contentions, among professors of christianity.

Judge Paine died on the 11th of May 1814, after having attained the age of 84 years.—We will conclude this imperfect memoir, by an extract from a sermon delivered on the occasion, by the Rev. Dr. M'Kean, before the society of which the Judge had long been a distinguished and respected member. "His intellectual, moral and religious character, was strongly marked with sterling integrity. Uprightness eminently directed his usual course of domestic and social duty: Justice was the constant aim of his official service. Of regular and temperate habits, and cheerful temper, he was spared to a good old age: He enjoyed his faculties unimpaired to the last; retained his interest in his friends and country; its religious, civil and literary institutions; rejoiced in its good, lamented its delusions; was impressed with its dangers and prayed for its peace."

NOTES.

Note A, Page 208.

In a letter to his father, dated November 1749, when engaged in a school, he says—"Be pleased sir, to accept a few lines as a token of the respect and duty which your much obliged son bears towards you. It is indeed with great reluctance that I think of your intended voyage; and although it is not for me to regret your proceedings, yet human nature has many foibles, and the weakness of youth needs much indulgence. If your health would be served by any other means, with great pleasure should I hear it; but if that, and that method only, will avail, with profound submission I acquiesce. I may not have another opportunity of writing to you, or of hearing from you again; therefore, as far as words will go, I would express my sincere desire for your welfare, hoping that the same providence which has hitherto kept us both, will still keep and preserve us, and bring us again to a happy meeting in this world. I hope sir, I shall never be unmindful of the relation I stand in to you, either as a child or as one who professes christianity: and, sir, I desire your remembrance of me, that, however Providence orders in this world, yet that we may be happy hereafter," &c. His father had, at this time, failed in business, and was also, in bad health. In such a situation, when common friends forget the unfortunate, it must have been a great consolation to receive such assurances of respect and confidence from a beloved son, In another letter bearing date, May 1754, he writes, "I sincerely wish you well in your business and travels, and hope to find you at home on

my return in a few months. I shall always remember the obligations which your kindness and tenderness have laid me under, and which I can never fail to recollect. Accept this as a pledge of the gratitude which warms the heart of your dutiful son," &c. And in January 1755, "I beg sir, you would write your advice concerning my schemes, or any which would please you better; I know the welfare of your children is of great weight with you, &c.

Note B, Page 210.

In 1762, J. Sewell, the attorney general of the province, wrote his friend Paine, as follows, viz. "Brother Bob, pray be so kind as to deliver the enclosed to a *Catch-pole;* and when you can give me an opportunity to cancel the obligation, please to command me freely; your hearty friend," &c.——"How is the harvest in your part of the vineyard? Which side do you take in the political controversy? What think you of coin? What, of writs of assistance? What of his honour, the L—— G——? What of Otis? What of Thatcher? What of Coke, the cobbler? What think you of bedlam for political madmen? What think you of patriotism? What think you of disappointed ambition? What think you of the fable of the bees? What——? Send me your thoughts on these questions, and I will send you fifty more."——Mr. Paine's reply, six days after date of the above. "Friend Jonathan, I have just received yours, and shall take special care of the enclosed. Your queries demand an immediate answer, in which I hope you will find a satisfactory display of the orthodoxy of my mind. To first query, I answer, the old account is reversed, for the harvest is small and the labourers are many, and there are many little foxes that spoil the vines. To 2nd query, I reply the *right* side. To the 3d question, I say, what hungry men do of food, if they can get any, never dispute the quality or the price. I reply to the 4th inquiry, never was more need of them; I shall soon apply for one to get me a *help-meet.* Question 5th: What of his honor, the L. G.? I answer, as the son of Sirach said, all things cannot be in vain, because man is not immortal—what is brighter than the

sun? yet the light thereof faileth. What of Otis? Answer; what the virtuosi do of Lemory's concave mirror, which *burns* every thing which cannot be melted. What of Thatcher? Answer: as Jacob said of his son Dan, as a serpent in the way he biteth the horse's heels, so that his rider falleth backward. What of Coke, the cobbler? That he is dignified with a title which many others deserve more. What of bedlam for political madmen? It will by no means do; being already occupied by madmen of a more *sacred* profession. What of patriotism? As I do of the balance master's art, very few have virtue enough, in the Roman sense, to keep themselves perpendicular. What of disappointed ambition? Consult your own mind, in having *no* reply to this question. What of the fable of the bees? It proves that good old word, the wrath of man shall praise the Lord. Last question, What——? It is the recapitulation of all the others. Thus I have gone through my catechism, and according to the good rule of education, the next step is to learn it with *proofs;* in which I shall hardly fail of success, if I keep to that standard. As for the fifty questions more with which you threaten me, I beg when you execute it, you would observe a modern rule of answering them yourself as you go along."

Note C, Page 212.

Soon after this celebrated trial, a pamphlet was published giving an account of the proceedings, which was quite imperfect, and in which nothing appeared of the speech of Mr. Paine. It was said that the person who took the minutes of the trial, was so exhausted, that when Mr. Paine addressed the jury, he was unable to attend. We are however, able to give the substance of this speech from some papers handed us by one of the family; and since it affords a more minute account than has hiterto been published, of a very important transaction, it cannot be uninteresting to our readers.——"It now remains to close this cause on the part of the crown. A cause which from the importance of it, has been examined with such minuteness and protracted to such a length, that I fear it has fatigued your attention, as I am certain it has exhausted my spirits. It may, however, serve to show you, gentlemen, and all the world, that the benig-

nity of the English law, so much relied on by the counsel for the prisoners, is well known and attended to among us, and sufficiently applied in the case at the bar. Far be it from me to advance, or even to insinuate any thing to the disparagement of that well known principle of English law, in support of which, the counsel for the prisoners, last speaking, has produced so many authorities; nor should I think it necessary to remark particularly on it, but that it has been traced through so many volumes, and urged with so much eloquence and zeal, as though it were the foundation of their defence, or at least an argument chiefly relied on. But if you consider this sort of reasoning for a moment, you will be sensible that it tends more to amuse than to enlighten; and without great caution may captivate your minds to that principle of law, which is endeared by the attributes of mercy and benignity, while it draws you entirely from justice —that essential principle, without which the laws were but an empty sound. Justice, strict justice, is the ultimate object of our laws, and to me it seems no hard task to maintain, that the attribute of benignity or mercy, can be ascribed to nothing abstracted from that of justice; and that a law all mercy, would be an unjust law—and therefore, when we talk of benignity, we can understand nothing more than what is comprehended in Lord Coke's observation on our law in general, "that it is ultima ratio:" the last improvement of reason, which in the nature of it, will not admit any proposition to be true, of which it has not evidence; nor determine that to be certain, of which there remains a doubt. If, therefore, in the examination of this cause, the evidence is not sufficient to convince you beyond reasonable doubt, of the guilt of all, or of any of the prisoners, by the benignity and reason of the law, you will acquit them. But, if the evidence be sufficient to convince you of their guilt, beyond reasonable doubt, the justice of the law will require you to declare them guilty, and the benignity of the law will be satisfied with the fairness and impartiality of their trial. I am sensible, gentlemen, I have the severe side of the question to manage: I am to argue against the lives of eight of our fellow subjects; the very thought of which is enough to excite your compassion, and to influence my conduct. The counsel for the prisoners, well aware of their advantage, arising from the humane side of the

question, have availed themselves of all the observations proceding therefrom; and have pressed the defence of the prisoners, by such appeals to the passions, in favour of life, as might be grating to your humanity should I attempt the like against life. Numberless are the observations which have been made, in order to set the prisoners in a favourable point of view, and to bring them within the notice of your compassion. It has been represented, "that the life of a soldier is thought to be less valuable among us, than the life of a private subject;" than which nothing can be more unfounded. Whatever of wrath and bitterness may have been expressed, by some, on account of the unhappy transaction, it was no more than would have been said, had the persons who did it not been soldiers. Nay the very appearance of this trial, the conduct of the witnesses and spectators, and all concerned in it, must satisfy any one, that a soldier's life is by no means undervalued: but that they have as fair an opportunity of defence as any other subjects. It has also been observed to you, that the evidence against the prisoners has been, for a long time past, published, and put into all your hands; and the supposed inconveniences which the prisoners labour under on that account, have been displayed with a vehemence of expression, the design of which, for my part, I am really at a loss to determine. The whole of the fact is this —immediately after the unhappy homicide, it was very naturally considered as attended with such circumstances as would engage the attention and authority of Great Britain; and as it was well known that representations were making and dispatches about to be sent respecting the matter, it was thought necessary to collect and send such evidence as was feared would be omitted, that so we might not suffer in our condut for want of it. The copies of these depositions were here sacredly concealed; nor would the contents of them have got abroad, but that copies from the other side of the water came over here; and being free of the control of the town, were reprinted, and for what I know, in some manner dispersed before the trial came on. But I am actually at a loss to determine, whether this undesigned or unexpected event, has tended more to the advantage or disadvantage of the prisoners: For it is notorious, that by means of it, they have learnt the strength of the evidence against them,

and had time to prepare to encounter it; which it is manifest by the points taken in their defence, they have endeavoured to do; while the counsel for the crown, with all their supposed assistance, having neither heard nor seen the evidence to be produced for the prisoners, were surprised at a great part of it, and had not the same opportunity to prepare evidence to oppose it, which, perhaps, they might have found. But to what purpose is it to exclaim against the hard fate of the prisoners on account of that publication, or any supposed rancour against them, when you, gentlemen, know that you are not prejudiced in the cause, nor have formed any judgment respecting it, as you have solemnly declared on your oaths: And when nothing has been, or can be objected to the credibility of the witnesses for the crown, and when nothing appears of partiality in the manner or matter of their testimony; but even many things are testified by them, of which the counsel for the prisoners avail themselves in the defence, and which never could have escaped any person, whose mind was so unduly agitated with passion as has been complained of and pretended.

"Relying upon it, therefore, gentlemen, that, as on the one hand, you have entertained none of these prejudices against the prisoners complained of, so on the other hand, you will not suffer yourselves to be amused with a supposition of facts, which do not exist, nor with representations and arguments, which have no foundation.—I shall endeavour to address myself to your cool and candid reason; and, in the briefest manner I am able, consider the evidence that has been offered in their defence, the arguments and law, which have been applied to it; and then, observing on the evidence against the prisoners and the law operating thereon, I shall rest the matter with you, for a solemn and final decision,

"In the first place, gentlemen, you perceive that a very considerable part of the evidence produced by the prisoners, is designed to prove to you, that on the evening of the 5th of March, the town was in a general commotion; that vast numbers of people were seen coming from all parts of the town, armed with clubs and sticks of various sizes, and some with guns; and that they assembled at and near King-street; that fire was cried, and the bells rung to increase the collection: And from all this

you might be induced to believe that there was a general design, in a great number of the inhabitants, to attack the soldiers: That it was the inhabitants who began the disorders of the evening, and that all the evils and mischiefs of it, were the effects of their disorderly conduct. But, if we will recollect the evidence, we shall find, that previous to all this collection a number of soldiers had come out of their barracks, armed with clubs, bayonets, cutlasses and instruments of divers kinds, and in the most disorderly and outrageous manner were ravaging the streets, assaulting every one they met, and even running out of their way to assault and endanger the lives of some of the most peacable inhabitants who were standing at their own doors, and who neither did nor said any thing to them—and even vented their inhumanity on a little boy of twelve years of age—that some of them were conspiring and threatening to blow up *Liberty-tree*, in the same manner as had been lately done at New York; an account of which had just arrived. Consider also the testimony of Col. M. and others, who declare the outrageous appearance, behaviour and threatenings of the soldiers, at other times and places the same evening—and of those who give an account of the affray at Murray's barracks, where eighteen or twenty soldiers rushed out with cutlasses, &c. attacking all who came in their way, struck several persons, and cut an oyster-man on the shoulder, of whose testimony we are deprived by reason of his absence. This was probably the beginning of the affair at the barracks, of which so much has been said. There are yet other witnesses, to whose testimony I might refer, that you may consider in what light that transaction ought justly to be viewed; but I forbear.

"The inhabitants, for a long time, had been fully sensible of the evil disposition and abusive behaviour of many of the soldiers towards them; and the most peacable among them had found it necessary to arm themselves with heavy walking sticks, as weapons of defence when they went abroad. This was the occasion of the appearance of sticks in the hands of many of the citizens, as has been stated; and which was nothing more than might have been expected on any other night.

"In order to draw this affair to one point of view, you will consider the account given you of the affray at the ropewalks, at four or five different times, a few days before, in some of which three of the prisoners at the bar were present; and which began in consequence of abuse from one of the soldiers, and before the unseemly answer was given by a workman, one of the citizens of the town. The testimony of Col. H. a magistrate, and several others, goes to show that the behaviour of those soldiers was so riotous, barbarous, ungoverned and ungovernable, as to fill the minds of the inhabitants with alarming prospects; which, when added to their conduct on the unhappy evening, would naturally give rise to all that appearance. There can be no doubt, but that the collection of people, which was seen that night, was occasioned by many different causes. It is in evidence, that it was a bright moon-light evening; the pleasantness of which, increased by a new fallen snow, induced many persons to be walking the streets: hearing of the outrages committed by the soldiers, they stopped to see and inquire into the matter. And some of them might join those who had been abused, and make preparation to defend themselves. Such were those who had been abused at the barracks, and ran down to Dock-square and began to pull the legs from the butchers' stalls, as testified by some of the witnesses introduced by the counsel for the prisoners. Great numbers were also brought by the cry of fire and ringing of bells; which, it appears, was repeated by the soldiers as well as by some of the inhabitants. Upon this, many came out of their houses with bags and buckets, as usual in case of fire; and as they collected, asked where the fire was. The account given by other witnesses, of the collection of the citizens, evidently refers to those who assembled on the soldiers rushing out, in the manner before mentioned. And though it cannot be fully justified, yet who will say, that any thing better could be expected when the people found they could not walk the streets in peace, without danger of assassination. But how does all this prove the grand point for which it was produced, namely, that there was a combination of the inhabitants to attack the soldiers? Does the threatening, rude and in-

decent speeches, of which so much pains has been taken to give you evidence, prove any thing like this? Is it to be wondered at, that among a number of people collected on such an occasion, there should be some who should rashly and without design express themselves in such a manner? And must the disposition and intention of the whole, be collected from such expressions heard only from a few?"—The rest of the papers, which have been preserved, relating to this trial, are so torn and the notes therein so imperfect and disconnected, that it is impossible to determine the concluding remarks of Mr. Paine. It appears, however, from his very copious minutes, that he commented largely on the testimony, with much ingenuity and wit; that he stated the nature of the crime of murder, in so far as it is to be distinguished from manslaughter or simple homicide; and insisted that the conduct of the inhabitants was no justification for the firing of the soldiers, or the order of the captain for them to fire—that the first abuse and riot was from the soldiers at an earlier hour, which called the people together in the centre of the town—that thus alarmed and agitated, some of them, chiefly boys, addressed the sentinel with threatening and abusive language—that some snowballs were thrown, and some hustling and pushing, when the crowd was about the sentinel, &c. But that the solders were not in danger of being beaten or wounded, as the citizens designed to act merely on the defensive, and therefore, that by the order to fire, and by firing, the prisoners were justly chargeable with murder, &c.

Note D, Page 236.

Mr. Paine's reasons for declining the office of Judge when offered him in 1782, were, that his life had been devoted to the public for many years, to the neglect of making suitable provision for a large and increasing family; that the salary was insufficient for a decent support, and for the education of his children; that he had, heretofore, when the public service requi-

red, and his country's rights demanded the exertions of the citizens in their defence, given up his professional pursuits and made great sacrifices in the common cause. That he was without property and felt it an imperative duty to provide for those of his own household; which he believed he might now do without any violation of the great principles of patriotism.

v. 2
Sanderson, John, 1783-1844
Biography of the signers to the Declarat
3 3091 00058 2767

DATE DUE

NOV 4 1971			
NOV 30 1971			
NOV - 7 1977			
APR 26 1993			
GAYLORD			PRINTED IN U.S.A.